Second Series, Vol. LX—No. 11. Saturday, December 2, 1961
Agrahayana 11, 1883 (*Saka*)

LOK SABHA DEBATES

(Fifteenth Session)

(Vol. LX contains Nos. 11—16)

LOK SABHA SECRETARIAT
NEW DELHI

CONTENTS

COLUMNS

Oral Answers to Questions—

*Starred Questions Nos. 491, 492, 494 to 496, 498, 499, 501 to 505, 509, 510, 513, 516, 519, 521 to 524 and 526 . . . 2553—92

Written Answers to Questions—

Starred Questions Nos. 493, 497, 500, 506 to 508, 511, 512, 514, 515, 517, 518, 520 and 525 . . . . . 2592—9(

Unstarred Questions Nos. 1001 to 1081 . . 2599—264

Motion for Adjournment—

Alleged police excesses at Nipani . . . . . 2647—55

Calling Attention to Matter of Urgent Public Importance—

Provision of a special train to Hindustan Motors . . . 2655-56

Papers laid on the Table . 2556-57

Messages from Rajya Sabha . . . . . 2657—55

Bills passed by Rajya Sabha laid on the Table . 2659-67

Arrest of a Member 266c

Statement *re* functions and activities of State Trading Corporation of India Limited 266c

Business of the House . . . . . 2660—64

Bills introduced—

State Financial Corporations (Amendment) Bill 2664-65

Dock Workers (Regulation of Employment) Amendment Bill . . 2665

Delhi University (Amendment) Bill 2665-66

Demands for Supplementary Grants (Railways), 1961-62 . 2666—8(

Shri T. Subramanyam . . . . . 2666—68

Shri Morarka 2668-69

Shri Shahnawaz Khan . . . . . 2669—84

Motion *re* Major Railway Accidents . . . . . 2687—2716

Shri Rajendra Singh . . . . . 2686—97

Shri Vajpayee . . . . . 2697—2705

Sardar A. S. Saigal . . . . . 2705—08

Shri Tangamani . . . . . 2708—12

Shri S. M. Banerjee . . . . . 2712—15

*The sign + marked above a name of a Member indicates that the Question was actually asked on the floor of the House by that Member.

[*See cover page* 3 *a*.

LOK SABHA

Saturday December 2, 1961/Agrahayana 11, 1883 (Saka).

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Drug Plants

\+

*491. **Shri Kodiyan:**
Shri Indrajit Gupta:
Shri Ram Krishan Gupta:
Shri Bhakt Darshan:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 358 on the 10th August, 1961 and state:

(a) whether the Soviet experts' Project Reports on Drug plants have since been examined and decisions taken thereon;

(b) the number of such plants to be set up, their location, and estimated capacity; and

(c) the extent to which these plants will make India self-sufficient in essential drugs?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (c). A statement is laid on the Table of the House.

Statement

(a) Project Reports on Drug plants prepared by the Soviet experts have been examined and have generally been accepted with such modifications as have been agreed upon after discussions with the Soviet experts who are, at present, in the country for the purpose

(b) It has been decided to set up four Drug plants *viz.* Antibiotics at Rishikesh (UP), Synthetic Drugs at Sanatnagar (Andhra Pradesh), Surgical instruments at Madras and Phytochemicals at Neriamangalam in Kerala.

The estimated annual capacity of these plants would be 300 tons of various antibiotics, 850 tons of Synthetic Drugs and special Intermediates, 2.5 million pieces of Surgical Instruments and 100 tons of Drugs from Medicinal Plants respectively.

(c) Together with the development envisaged in the private sector, the country is expected to become self-sufficient in almost all the essential drugs with the establishment of these plants by the end of the Third Five Year Plan.

Shri Kodiyan: May I know what progress has been made in the preliminary work of establishing these four drug plants, like acquisition of land, construction of buildings, etc.?

Shri Satish Chandra: The land has been offered by the State Governments. A Russian Team is already in the country. Steps are being taken to start the work. The project reports have been received, discussed and finalised.

Shri Kodiyan: What will be the employment potential of these in the Third Five Year Plan?

Shri Satish Chandra: I could not give that figure straightway. The employment potential is generally not much in chemical factories, because they are automatically operated. But in the instruments plant there would be sufficient employment potential.

Shri Kodiyan: May I know whether the cultivation of medicinal plants

required for phyto-chemical plant in Kerala has started?

Shri Satish Chandra: There are herbal farms in several parts of the country; for instance, in Kashmir there are organised farms. More will have to be started in different parts of the country, and if some herbal plants can be cultivated in the areas nearabout the factory, it would be done.

Interim Award of Jute Wage Board

\+

*492. { **Shri S. M. Banerjee:** / **Shri Tangamani:**

Will the Minister of **Labour** and **Employment** be pleased to state:

(a) whether the interim award of the Jute Wage Board has since been implemented in all the jute mills; and

(b) if so, whether the jute mill-owners in Kanpur have also been persuaded to implement the same?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes, by all except three.

(b) On the application of these three mills the High Court of Allahabad has issued a stay order.

Shri S. M. Banerjee: In reply to a previous question the hon. Minister stated that the High Court has issued a stay order. May I know what steps have been taken by the Government of India or the Labour Minister to persuade the employers to implement them without waiting for the High Court decision?

Shri Abid Ali: We wrote to the Labour Minister of U.P. and it appears that they contacted the parties but they could not be persuaded to withdraw their application filed in the High Court.

Shri S. M. Banerjee: May I know whether the Government of U.P. has been advised to move an application in the High Court for expeditious settlement of this case? Otherwise there would be delay. What action has been taken in this direction?

Shri Abid Ali: We have not written to them to that effect. If the hon. Member likes, he can make a suggestion to the U.P. Government.

Shri Tangamani: How many units in West Bengal have implemented these interim recomendations and how many workers will be benefited by this?

Shri Abid Ali: In all there are 88 mills. Out of them only 3 mills have not implemented it. There are 2,52,000 workers out of whom about 2,47,000 have been benefited by this. That means more than 98 per cent of the workers have been benefited and there is a question of only about 2 per cent.

Shri Tangamani: May I know whether the Government will request the State Government to move the High Court for expediting the disposal of the case, because the stay order has been there for more than three months?

Shri Abid Ali: I do not think there is a possibility of succeeding in that way. If, however, hon. Members have got that suggestion, I will forward this to the U.P. Government.

Technological Centre for Food Processing and Fruit Canning Plant

\+

*494. { **Shri D. C. Sharma:** / **Shri Ram Krishan Gupta:**

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 340 on the 10th August, 1961 and state:

(a) whether Government have received the final details of the scheme for setting up a Technological Centre for Food Processing and Fruit Canning from Yugoslavia; and

(b) if so, the action taken thereon?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). No, Sir. Details are being awaited from Yugoslavia.

Shri D. C. Sharma: May I know what progress has so far been made so far as this project is concerned?

Shri Satish Chandra: I said that there is a proposal from Yugoslavia to give us assistance is setting up a technological centre for food processing and fruit canning. We have discussed the scope of the proposal with them. The details as to how it should be implemented and what will be included therein are awaited from Yugoslavia.

Shri D. C. Sharma: May I know if any site has been selected for the purpose?

Shri Satish Chandra: The actual site has not been selected. It will be done as soon as the details are received.

Shri D. C. Sharma: What is going to be the approximate cost of this project and how is Yugoslavia going to share the cost with India?

Shri Satish Chandra: The total expenditure would be about Rs. 40 lakhs, and the foreign exchange requirement will be Rs. 25 lakhs which will be covered by loans from Yugoslavia.

U.S. Aid to Under-developed Countries

\+

*495. **Shri Shree Narayan Das:**
Shri Radha Raman:
Shri Bibhuti Mishra:
Shri Hem Barua:

Will the **Prime Minister** be pleased to state:

(a) whether after Belgrade Neutral Summit Conference there has been any change in the attitude of the Government of U.S.A. towards aid problems of under-developed countries and specially towards aid problems of this country;

(b) if so, whether any indications are available that this has resulted in the reduction of aid programme; and

(c) if so, the nature of curtailment made?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) The Government of India have no reason to believe that there has been any change in the attitude of the Government of U.S.A. towards the aid problems of the under-developed countries since the Neutral Nations Conference at Belgrade.

(b) and (c). Do not arise.

Shri Shree Narayan Das: Is it a fact that a speech delivered at the Conference led to some important statements being made by some persons in authority about the giving of the aid?

Shrimati Lakshmi Menon: I have already stated that there is no change in the attitude of the Government of U.S.A. in this respect.

Shri Hem Barua: May I know whether it is a fact that the United States has amended their Aid Bill which stipulates a political test for neutral nations for getting financial aid from the United States—'political test' means the sharing of U.S. views on world crisis? Are Government aware of it?

Shrimati Lakshmi Menon: Government is aware of a formal amendment moved to the Foreign Aid Appropriation Bill at the instance of Senator Keating which reads as follows:

> "It is the sense of the Congress that in the administration of these funds great attention and conideration should be given to those nations which share the view of the United States in the world crisis".

Subsequently in his Press Conference, President Kennedy has said:

> "We are not attempting to use our aid in order to secure agreement by these countries with all of our policies".

Shri Hem Barua: May I know whether it is not a fact that as a result of this particular amendment Yugoslavia, as an under-developed country, was the first to suffer so far as U.S. financial aid is concerned? And,

if so, whether it is a fact that the Yugoslav President came immediately to Cairo to meet Mr. Nehru and Mr. Nasser in order to discuss this aspect of the problem?

Shrimati Lakshmi Menon: I really do not know what happened in Yugoslavia. If the hon. Member asks questions about India, I will answer.

Shri Hem Barua: Our Prime Minister was involved there and it transpires....

Mr. Speaker: I am afraid the hon. Member is trying to involve the Prime Minister.

Shrimati Lakshmi Menon: And Yugoslavia.

Shri Goray: May I know whether any light was shed on this particular point when our Prime Minister met the President of the United States recently?

Mr. Speaker: He wants to know whether they had any discussion on this matter.

Shrimati Lakshmi Menon: I have clearly stated that there is no change in the U.S. policy as far as aid is concerned, and I have also given a clarification given by the President.

Shri Hem Barua: May I know whether it is a fact that the United States Administration has divided neutrals into two categories—positive neutrals and negative neutrals.....

Mr. Speaker: Order, order. We are not much concerned with that. The hon. Member thinks he is a member of the Congress of the United States of America, and for the time being he forgets that he is in India. If there is any change in the attitude so far as India is concerned, he may put a question on that instead of going on asking about other countries. We are not responsible for their policies or their mutual adjustments.

Shri Hem Barua: I am coming to that.

Mr. Speaker: No, no; I am not going to allow. Next Question.

Industrial Survey of Jammu and Kashmir

\+

*496. **Shrimati Maimoona Sultan:**
Shrimati Ila Palchoudhuri:
Shri Balraj Madhok:
Shri Inder J. Malhotra:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that an industrial survey of Jammu and Kashmir has recently been conducted by the Government of India;

(b) if so, the details thereof; and

(c) whether a report of the survey will be placed on the Table?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir.

(b) A statement is placed on the Table of the House. [*See* Appendix II, annexure No. 25]. Copies of the report also are being made available in the Library of the Parliament.

(c) Yes, Sir

Shrimati Maimoona Sultan: The report of the survey team points out that there is wastage in the matter of coal deposits in Jammu and Kashmir. In order to remove this defect it has been suggested that the coal mines there should be brought under the control of the Union Coal Development Corporation. May I know what is being done to implement that suggestion?

Shri Satish Chandra: It is true that the report points out that the coal mines and also the lignite mines in Kashmir should be developed, and that they have not been properly exploited so far. The main difficulty is that of technical personnel and also of transporting the modern equipments to the site. Steps have to be taken in future to improve the working of these coal mines.

Shri Vajpayee: May I know if the attention of the Government has been

drawn to the criticism voiced in a certain section of the Press that the industrial estates established in the Jammu and Kashmir State, particularly in Jammu city are not functioning well and whether Government have made any enquiries in this regard?

Shri Satish Chandra: That has nothing to do with the industrial survey conducted on the spot by a special team.

Mr. Speaker: He may table a separate question.

Shri Kamalnayan Bajaj: May I know whether along with the industrial survey the Government would bear in mind the distance involved—Jammu and Kashmir is far off from here—and other difficulties of transport mentioned by the hon. Deputy Minister and give a sympathetic consideration to the question of announcing some subsidies for the development of Jammu and Kashmir industrially so that the people who may suffer due to industrial development there may be compensated?

Mr. Speaker: All that does not arise out of this question.

Shri T. B. Vittal Rao: The hon. Deputy Minister stated that the coal mines there could not be exploited because we could not transport any machinery to this site. May I know why we cannot adopt the conventional and traditional method of getting coal from there?

Shri Satish Chandra: The hon. Member perhaps did not listen to my answer properly. I did not say that the coal mines are not being worked. Some coal mines in Kashmir are being worked, but the modern equipment has not so far been used and it is possible to improve them as has been pointed out in the report.

Inquiry into the Murder of Dr. Ao

\+

{ **Shri Bibhuti Mishra:**
Shri M. L. Dwivedi:

Will the **Prime Minister** be pleased to state:

(a) whether the preliminary inquiry into the murder of Dr. Ao has been completed; and

(b) if so, what are the main findings?

The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika): (a) and (b). Police enquiries into the murder of Dr. Ao are in progress. The murderer of Dr. Ao has not been apprehended so far.

श्री विभूति मिश्र : अब तक सरकार ने कितनी जांच पड़ताल की है और उस जांच-पड़ताल का अब तक क्या नतीजा निकला है ?

Shri J. N. Hazarika: Enquiries are being held by the police with the assistance of the Assistant Director, Intelligence Bureau, and they are in progress.

श्री विभूति मिश्र : प्रोग्रेस क्या हुई है इस जांच-पड़ताल के बारे में, इस के बारे में कुछ नहीं बताया गया है।

अध्यक्ष महोदय : इसके बारे में वे कुछ नहीं बता सकते हैं।

श्री विभूति मिश्र: कहां तक मामला गया है, यह तो बता दें।

Mr. Speaker: Order, order. The police enquiry is going on. The man has not been apprehended. What more does he want? Does he want to know where they went, where they searched and so on? I am really surprised.

श्री प्रकाश वीर शास्त्री : क्या यह सच है कि डा० आओ ने अपनी मृत्यु से पूर्व अपने

किसी मित्र को इस प्रकार का समाचार दिया था कि इस प्रकार मेरे प्राणों के लिए संकट उत्पन्न हो गया है और यह समाचार असम ट्रिब्यून में प्रकाशित हुआ था, और यदि हां, तो उस से पहले सरकार ने उनकी सुरक्षा के लिए कोई व्यवस्था क्यों नहीं की ?

Mr. Speaker: That does not arise out of this question.

Shri S. M. Banerjee: May I know whether after the murder of Dr. Ao security measures in that particular area have been tightened up?

Shri J. N. Hazarika: Yes.

Mr. Speaker: How does it arise out of a question about enquiry into the murder?

Shrimati Mafida Ahmed: Is it a fact that the internal situation of Nagaland is disquieting since a few months and the murder that was committed was only due to scrambling for power by the pro-hostile elements?

Mr. Speaker: Even that does not arise out of this. The question relates only to the enquiry into the murder.

Shri Hem Barua: May I put one question? My question will arise very much out of this.

Mr. Speaker: No. I have allowed him a number of questions.

Export of Manganese

\+

*499. { **Shri Khushwaqt Rai:** **Shri Vidya Charan Shukla:** **Shri Rameshwar Tantia:**

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that actual forward sales of manganese ore abroad are less in half year (January-July) 1961 than the corresponding period in 1960;

(b) if so, by how much; and

(c) what are the reasons for this decline in exports?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Government do not have complete information about forward sales of manganese ore.

(b) and (c) Do not arise.

श्री खुश वक्त राय : मैं जानना चाहता हूं कि निर्यात को बढ़ाने के लिए सरकार की ओर से क्या-क्या कदम उठाये जा रहे हैं ?

श्री सतीश चन्द्र : इस के लिए तो समय-समय पर बहुत से कदम उठाये गये हैं। रेलवे फ्रेट को कम किया गया है, रायल्टी में कमी की गई है। गवर्नमेंट अब यह विचार कर रही है कि रेलवे फ्रेट को और कम किया जाए। कुछ ही दिनों में इसका फैसला हो जाएगा।

Shri Tyagi: The hon. Deputy Minister just now stated that he is not in a position to give the figures. May I know if the sales are effected through private agencies; if not, and if they are effected through the State Trading Corporation, I am surprised why the Government are not having the figures as to what are our forward sales.

Shri Satish Chandra: The hon. Member is aware that the export of manganese ores is not the monopoly of the State Trading Corporation; private trade also participates.

Shri Tyagi: What is the result of the trade which went through the channels of the State Trading Corporation?

Shri Satish Chandra: The forward sales of the State Trading Corporation are a little lower than last year. I say this for the first six or seven months of this year. There is a reason for it. The State Trading Corporation, previously, was dealing with all the barter deals including the business secured by the private trade. This year, there has been a change in

that system. So the figures are not comparable.

Wages in Coal Mines

+

*501. { **Shri Kodiyan:** / **Shri Warior:**

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 4 on the 7th August, 1961 and state:

(a) whether the Bipartite Committee of Employers and Workers to go into all the aspects of the question of wage revision in coal mines has since been constituted; and

(b) if not, the reasons for the delay?

The Deputy Minister of Labour (Shri Abid Ali): (a) The Bipartite Committee has since met twice at Calcutta.

(b) Does not arise.

Shri Kodiyan: The other day the hon. Labour Minister stated in this House that he would be meeting the hon. Minister of Steel, Mines and Fuel for consultation in this respect. May I know whether he has since met him?

Shri Abid Ali: They have been meeting very often.

Shri Kodiyan: May I know whether any date has been fixed for a meeting of this bipartite Committee?

Shri Abid Ali: It may be by the end of this month or sometime early next month.

Exchange of Lockers, Bank Accounts etc.

+

*502. { **Shri M. B. Thakore:** / **Shri D. C. Sharma:** / **Shri Bibhuti Mishra:** / **Shri P. C. Borooah:** / **Shri Ajit Singh Sarhadi:** / **Shri Raghunath Singh:**

Will the Minister of **Rehabilitation** be pleased to state the progress made in the implementation of the agreement reached in Calcutta earlier between the Indian and Pakistani officials on the exchange of lockers, bank accounts and funds?

The Minister of Rehabilitation (Shri Mehr Chand Khanna): The exchange of lockers, safe deposits and bank accounts was fixed at Lahore, Delhi and Karachi on 30th November, 1961. India handed over bank drafts of Rs. 8·71 lakhs to the representative of the Pakistan Government at Delhi and Pakistan handed over bank drafts of Rs. 2·25 lakhs to the representative of the Indian Government at Lahore. India also handed over contents of 135 lockers and safe deposits of Pakistani nationals which were sent by train under police escort to Pakistan. Pakistan handed over eight sealed packages at Karachi which will be brought to Delhi by plane on 3rd December. They also handed over 111 sealed packages containing contents of lockers and safe deposits of Indian nationals at Lahore, which were brought to Delhi by train yesterday. The remaining packages numbering over 200 were to be handed over by Pakistan yesterday and would also be brought to Delhi.

May I supplement the answer with the information that the other packages have also arrived? Their number is 266. So, the total number of packages that we have received from Pakistan containing the lockers and safe deposits is 377 and the number of lockers and safe deposits in these packages is round about 750. We are still to receiv another hundred packages and arrangements are being made to bring them back to India.

Shri M. B. Thakore: May I know by what time complete exchange will take place?

Shri Mehr Chand Khanna: Exchange has already taken place.

Mr. Speaker: The hon. Minister has stated that out of 700 and odd things a major portion has come. What about the balance?

Shri Mehr Chand Khanna: The balance is about 100. We are looking into it. The bulk has already come to India.

श्री विभूति मिश्र : मैं जानना चाहता हूं कि उस में प्राइवेट पर्सन्स का जितना रुपया था या सामान था, वह उनको कब तक दे दिया जायेगा ।

श्री मेहरचन्द खन्ना : कुछ कल आये हैं और कुछ आज आये हैं । करीब ७५० लाकर्स और सेफ डिपाजिट्स हैं । हम उन सब भाइयों को इत्तला देंगे । वे लोग १२, १३ वर्ष तक इन्तजार करते रहे । हम उन से कहेंगे कि वे आयें और जितनी जल्दी हो सके अपने सेफ डिपाजिट्स ले जायें ।

Shri D. C. Sharma: May I know if this is the end of the chapter so far as this matter is concerned, or is this going to lead to some other agreements also?

Shri Mehr Chand Khanna: The movable property agreement was arrived at between India and Pakistan a number of years ago, and it has been under constant review all these years. There were a number of pending items to be disposed of. This is one of the very important items that has been settled. The next meeting of the Implementation Committee is scheduled to be held at Karachi after about a week when we would be taking up the remaining items.

Shri M. B. Thakore: May I know, Sir, what happened to the bank accounts?

Shri Mehr Chand Khanna: I am afraid, the earlier part of my answer was not listened to with attention by the hon. Member where I referred to this.

Shri M. B. Thakore: I wanted to know whether there are any pending cases?

Shri Mehr Chand Khanna: Not to my knowledge. There may be a few here and there.

श्री विभूति मिश्र : मैं जानना चाहता हूं कि रुपये पैसे के हिसाब से कितने की चीजें हम ने पाकिस्तान को भेजी और कितने की पाकिस्तान ने हम को भेजी ।

श्री मेहरचन्द खन्ना : जहां तक इन पैकेजेज और लाकर्स का ताल्लुक है, सेफ डिपाजिटस तो सील्ड हैं । जहां तक लाकर्स का सवाल है, उन को हम ने खोला । जो लाकर्स वहां तोड़े उन को सील करके ले आये अब किस में कितना है, यह मैं नहीं कह सकता, लेकिन जो हम ने दिये हैं वह सिर्फ १३५ लाकर्स और सेफ डिपाजिट्स हैं । जो हमारे लाकर्स वगैरह आये हैं वह ७५० हैं, और कुछ बाकी भी हैं । तो मेरे खयाल में जो हमारे लाकर्स और सेफ डिपाजिट्स हैं उनकी संख्या कुछ ज्यादा होगी । लेकिन मैं बहुत तफसील से कुछ नहीं कहना चाहता और न मुझे उस का इल्म है ।

Shri D. C. Sharma: There were some major and some minor outstanding problems between India and Pakistan. May I know if the hon. Minister is taking any steps to solve the remaining major and minor problems?

Shri Mehr Chand Khanna: I have just now stated that there are still a large number of problems which remain to be resolved and we are having a meeting of the Implementation Committee in Karachi on the 11th December when we will take up the other matters. I can assure the House that we are pursuing the matter vigorously as we want these things to be settled and expedited.

Shri Hem Barua: May I know whether it is a fact that lockers in banks under liquidation are also proposed to be exchanged and, if so, what is the reaction of Pakistan to this proposal?

Shri Mehr Chand Khanna: I have made a personal reference to the Rehabilitation Minister of Pakistan and brought it to his notice that the agreement also covered those lockers and safe deposits which were ly-

ing in banks which have gone into liquidation. My information is—although I have not received it officially—that they are looking into the matter. I do not apprehend any difficulty there. That is the present position.

Rebate on Handspun Silk Yarn

*503. **Shrimati Renuka Ray:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any rebate is given on handspun silk yarn;

(b) if so, what is the value of the rebate; and

(c) if not, whether Government intend to introduce any such scheme to encourage cottage industry in silk?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (c). No, Sir.

Shrimati Renuka Ray: Was any such rebate given earlier?

Shri Satish Chandra: No rebate is given on hand-spun silk yarn but a rebate is given at the time of retail sale of the cloth produced from handspun silk yarn.

Shrimati Renuka Ray: Is it still being continued?

Shri Satish Chandra: It is being continued.

Shrimati Renuka Ray: So, there is no question of stopping that rebate?

Shri Satish Chandra: There is no question of stopping that rebate, but there is a proposal to reduce the rate of the rebate. Silk cloth is usually purchased by well to do people and it is felt that there is room for reduction. That may be effected from the 1st April 1962.

Shrimati Renuka Ray: What will be the repercussions of this on those who produce silk?

Shri Satish Chandra: The Khadi and Village Industries Commission have considered the proposal and they think that there would be no repercussion.

Shri Tangamani: May I know whether any proposal has been received from the handloom weavers that rebate should be extended to those handloom cloth spun out of artificial silk yarn imported from foreign countries?

Shri Satish Chandra: This relates to hand-spun khadi yarn and not to the varieties produced from imported artificial silk yarn.

All India Radio

+

*504. **Shri Supakar:**
Shri Harish Chandra Mathur:
Shri Aurobindo Ghosal:
Shri Shree Narayan Das:

Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether Government have come to a final decision to permit political parties to broadcast from the All India Radio Stations in the next general elections; and

(b) whether any detailed scheme has been chalked out?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). Government is not in a position to take any decision without getting a definite proposal from the Election Commission. The Chief Election Commissioner had a discussion with the Minister of Information and Broadcasting regarding the matter. It is understood that the Election Commission is discussing certain proposals in this regard with representatives of political parties and its recommendations on that basis are awaited.

I may say, by way of addition, that there has been already such a discussion.

Some hon. Member: Where is the Minister?

Mr. Speaker: Nobody expected that yesterday would be a holiday and

today would be a working day. Most of them had fixed up engagements for today which they did not want to disturb. Therefore, some of the Ministers wrote to me in the matter and I have allowed them to be represented in this House by other Ministers or Parliamentary Secretaries.

Shri S. M. Banerjee: Whoever deputises for him must answer all the questions.

Mr. Speaker: Not everything. One Minister cannot take up the portfolio of another Minister overnight. Further, I will allow them opportunities.

Shri Supakar: May I know if the hon. Minister is in a position to say what will be the total time allotted for these broadcasts, both in English and in regional languages?

Shri Datar: Let the hon. Member wait for some time. The whole point will be cleared, a proper decision will be taken and duly announced here.

Shri Supakar: May I know whether that announcement is going to take place before the House adjourns, as the next session will be after the general elections are over?

Shri Datar: It will be as early as possible after the recommendations have been received.

Mr. Speaker: Even if the session has adjourned, there is nothing to prevent the Government from making an announcement before the election takes place.

Shri Tyagi: May I know if some rules have been framed to check bitter mutual criticism between parties? Will they criticise only the policies and programmes of other parties or also the Government?

Shri Datar: This aspect of the matter will be fully taken into account. In fact, the Chief Election Commissioner is also trying to evolve a reasonable agreement so far as the contents of the broadcast are concerned.

Shri D. C. Sharma: Last time the meetings of these parties took place with the Election Commission and the negotiations broke down. May I know if those things which were responsible for the break-down of those negotiations last time have been taken into account this time?

Shri Datar: I would request the hon. Member to see today's papers. The news appears to be more promising.

Shri S. M. Banerjee: This particular concession will be given to political parties only. What will happen to the progressive independents? Will they also be given the opportunity?

Shri Datar: This is about the parties.

Shri Tangamani: In the course of the discussion with the Election Commission were representations made by almost all the parties, except the Congress Party, that the time for the Congress Party should be reduced in view of the fact that many statements of hon. Ministers and others were already being reported?

Shri Datar: The discussion has taken place very recently and I do not have before me a copy of the substance of the discussion.

श्री प्रकाश वीर शास्त्री : मैं यह जानना चाहता हूं कि चुनाव अभियान के समय आकाश वाणी चुनाव प्रचार के लिये अपनी अगर कोई कमर्शियल सरविस जारी कर दे तो इस में आपको क्या आपत्ति होगी ?

Mr. Speaker: This does not arise out of this.

Shri T. B. Vittal Rao: May I know if it is a part of the facility given for broadcasting that while reporting the proceedings over the All India Radio Opposition Members are completely blacked out?

Mr. Speaker: That does not arise out of this question.

Formulation of Annual Plans

*595. **Pandit D. N. Tiwari:** Will the Minister of **Planning** to pleased to state:

(a) whether the Planning Commission has decided to formulate annual plans within the framework of the Third Five Year Plan; and

(b) whether the formulation of 1962-63 Plan has been completed?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). The Annual Plan for 1962-63 is at present being formulated. Proposals in the Annual Plans of the Central and State Governments are embodied in their annual budgets. The preparation of Annual Plans has been a normal procedure in planning for several years, and methods and techniques connected with them are being steadily improved.

Pandit D. N. Tiwari: What is the experience of the last few years in the formulation of the yearly plans? The hon. Minister has been pleased to say that the methods are being improved. What is the improvement that has been made? What are the precise terms on which these plans are made?

Shri S. N. Mishra: The experience has been that it has been of great advantage so far as effective implementation is concerned. It also helps us in reviewing the progress made in the past year and in assessing the resources that would be available in the next year. So, from all points of view it has been of great advantage. So far as the details of the technique are concerned, it would take me more time to explain them than the Question Hour would permit.

Pandit D. N. Tiwari: May I know whether any change is made in the priorities of the schemes also?

Mr. Speaker: Would the priorities set out in the Plan be modified in the yearly plans?

Shri S. N. Mishra: No, Sir; within the everall priorities laid down in the Plan the annual plans are being formulated. But it may well be that in a particular year emphasis may have to be laid on certain programmes. For example, I might state that during the next year the stress might be on agricultural production, minor irrigation and employment-generating schemes or things like that. But all these have to fit in within the overall priorities set out in the Plan.

Shrimati Renuka Ray: Is it a fact that the Planning Commission has asked the State Governments to include in their next annual plans certain important subjects which had not been included in the beginning when the Plan was formulated? If so, what are those subjects?

Shri S. N. Mishra: I am unable to visualise any such schemes just now, but what I can say is that there were certain schemes which were in a very, very tentative stage then and required more details to be formulated for implementation. When those details are spelt out they might look like something new. But they are bound to be related to some such schemes which were then under preparation.

Shri Ranga: Are the proposals that are incorporated in the Budget and are associated with it to be superseded by any kind of an annual plan that the Planning Commission is to make or will the Planning Commission's plan be incorporated in the Budget which will be presented to Parliament?

Shri S. N. Mishra: The latter part of the question of the hon. Member precisely conforms to what we are doing. The annual plans are fitted into the annual Budgets.

Shri Ranga: May I know whether it is the hon. Finance Minister or the Planning Commission who takes the final decision on behalf of the Government?

Shri S. N. Mishra: The hon. Finance Minister also happens to be a member of the Planning Commission. So he is associated with the formulation of the annual plans in a befitting manner.

Shri Ranga: The hon. Finance Minister is only one of the many members. When the hon. Finance Minister prepares the Budget and presents it to this House, he presents it not only in his individual capacity but on behalf of the whole Government. Is the hon. Finance Minister having the final say in setting out priorities? Who decides it, the hon. Finance Minister or the Planning Commission?

Mr. Speaker: The hon. Finance Minister is a member of the Planning Commission. It is open to him to seek advice from any quarter including the hon. Member and the Planning Commission.

Shri Ranga: No, Sir; he can be overruled by other members of the Planning Commission.

Mr. Speaker: Certainly he can do so; it is open to him to do so.

Shri Ranga: He can be overruled by the Planning Commission but I cannot overrule him.

Shri D. C. Sharma: Sir, the hon. Member is against planning.

Mr. Speaker: I will explain it. There is a Planning Commission which goes into this. Then the other Secretaries are there. Nobody claims that the Planning Commission is a super-Ministry or Cabinet. The hon. Finance Minister is also a member of the Planning Commission. He discusses the matter and includes it in the Budget. We must assume that ultimately it is the responsibility of the hon. Finance Minister. With his responsibility he comes here. We do not go into the details of the advice which he may accept or reject. If he accepts it, it is his advice so far as we are concerned. We are not worried with the Planning Commission's recommendations.

Pandit D. N. Tiwari: Is the hon. Minister in a position to say whether the emphasis on the Gandak project has been shifted or remains the same?

Shri S. N. Mishra: This is a matter of detail. I do not know whether the hon. Member is referring to the next annual plan or to the current year's plan. As regards individual points, I require further notice.

Mr. Speaker: Next question—Shrimati Maimoona Sultan: Absent. She was here just now. Some hon. Members give notice of only one or two questions and then are absent when they come up. Next question—Shri H. N. Mukerjee: Absent. Next question—Shri Tangamani. He is also absent. It is really surprising. Next question—Shri Prakash Vir Shastri.

समाचार पत्रों का पृष्ठानुसार मूल्य निर्धारण

\+

*५०६. श्री प्रकाश वीर शास्त्री :
श्री सूपकार :
श्री गोरे :
श्री जोकीम आल्वा :
श्री तंगामणि :

क्या **सूचना और प्रसारण** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सर्वोच्च न्यायालय ने समाचार पत्रों के पृष्ठानुसार मूल्य निर्धारण अधिनियम को अवैध घोषित कर दिया है ;

(ख) यदि हां, तो क्या सरकार का विचार इस सम्बन्ध में कोई दूसरा अधिनियम बनाने का है ; और

(ग) न्यायालय द्वारा अधिनियम अवैध घोषित किये जाने के आधार क्या थे ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) और (ग). भारत के सर्वोच्च न्यायालय ने समाचार-पत्र (मूल्य और पृष्ठ) अधिनियम, १९५६ और तदधीन बनाये गये दैनिक समाचार पत्र (मूल्य और पृष्ठ) आदेश, १९६० को असंवैधानिक और व्यर्थ इस आधार पर घोषित किया है कि ये भारत के संविधान की धारा १९(१)(क)

के अधीन दी गयी भाषण और अभिव्यक्ति की स्वतन्त्रता पर हस्तक्षेप करते हैं ।

(ख) जी, नहीं ।

I shall read out the answer in English also.

(a) and (c). The Newspaper (Price and Page) Act, 1956 and the Daily Newspaper (Price and Page) Order, 1960 framed thereunder have been declared unconstitutional and void by thes Supreme Court on India on the ground that they impinge upon the freedom of speech and expression guaranteed under Article 19(1)(a) of the Constitution of India.

(b) No, Sir.

श्री प्रकाश वीर शास्त्री : समाचार पत्रों के पृष्ठ.नुसार मूल्य निर्धारण के लिये जब सरकार ने अधिनियम बनाया था, तो अधिनियम बनाते समय क्या ऐसे कारण उपस्थित हुये थे कि जिस के लिये आवश्यकता उत्पन्न हुई ?

Shri Datar: When an Act was passed, certain rules had to be framed. That is the reason why rules had been framed. But, the moment action was taken by way of writ petition, its implementation was stayed and the whole plan declared void.

श्री प्रकाश वीर शास्त्री : इस अधिनियम को सर्वोच्च न्यायालय द्वारा असंवैधानिक घोषित किये जाने के पश्चात् क्या सरकार को कुछ ऐसे ज्ञापन प्राप्त हुये हैं जिससे प्रतीत होता हो कि इस अधिनियम की फिर आवश्यकता है अथवा इस अधिनियम की आवश्यकता नहीं रही ?

Shri Datar: At present, the Government do not intend to bring in any legislation in this behalf.

Shri Goray: The whole idea behind this Price Page Schedule was to protect the small newspapers from competition with big newspapers. Having regard to the decision of the Supreme Court, does not the Government think that it is very necessary and very urgent also that they move in this matter and see to it that the small newspapers are protected?

Shri Datar: Any way, we have got the Supreme Court's decision in this respect. All the same, the Government would take into account what the hon. Member has suggested.

Shri Supakar: May I know whether the Government, after the decision of the Supreme Court, has re-examined the problem with a view to see whether, within the limits of the provisions of article 19 of the Constitution they can bring in another legislation to solve the problem for which the original Act was initially passed?

Mr. Speaker: The same question as Shri Goray's in another form.

Shri Goray: If the Government find it difficult to introduce another legislation at this stage, will it not be possible for the Government, keeping in view the Price Page Schedule, to allow so much quota to big newspapers which is in keeping with the price that they have fixed?

Shri Datar: That is again a suggestion.

Shri Tangamani: May I know whether, keeping in view the Supreme Court decision also, the Government will at least pass necessary orders for language papers, not newspapers generally as was done in the past?

Shri Datar: The Government are going to keep themselves within the purview of the orders of the Supreme Court. Whatever can be done will certainly be done. I cannot make any commitment.

Shrimati Renuka Ray: Considering that the Government had brought in the Price Page Schedule with a certain intent, although the Supreme Court has held the Act to be invalid, what about the intent behind it? Is

it not going to be carried out in some other manner?

Shri Datar: For the time being, nothing can be done.

Extradition Treaty with Pakistan

*510. **Shri Agadi:** Will the **Prime Minister** be pleased to refer to the reply given to Unstarred Question No. 129 on the 7th August, 1961 and state:

(a) whether the Government of Pakistan have since approved the Draft Extradition Treaty and have signed the same;

(b) if not, whether any objections have been raised; and

(c) if so, the details of the objections raised?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):

(a) No, Sir.

(b) No, Sir. The draft, apparently, is still under consideration with the Government of Pakistan.

(c) Does not arise.

Shri Agadi: Is there any objection for any type of category of criminals?

Mr. Speaker: What is the objection? What is the delay due to?

Shrimati Lakshmi Menon: I do not know what the delay is due to. It is with the Pakistan Government. We have submitted the draft in 1959. We are yet to hear from them.

Mr. Speaker: He wants to know if there is any specific objection raised?

Shrimati Lakshmi Menon: They have not said anything.

Shri Tangamani: Will a fresh communication be sent after the Extradition Bill which is now before the House is passed?

Shrimati Lakshmi Menon: After the passing of the Bill, we may think about it. The Extradition Bill is not yet passed by the House.

Mr. Speaker: He asks whether the request will be renewed after the Extradition Bill is passed.

Shri T. B. Vittal Rao: The Commonwealth countries are given special facilities.

Mr. Speaker: The matter is with them.

Time Table for the Budget Session

*513. **Shri Naushir Bharucha:** Will the Minister of **Parliamentary Affairs** be pleased to state:

(a) whether in view of the General Elections, 1962, the time-table for the Budget Session, 1962, and for the presentation of the Budget will be changed;

(b) if so, what will be the dates on which the Budget Session, 1962 will be held and what is Government's programme for presentation of the Budget; and

(c) whether there are any changes proposed consequent on the general elections?

Shri Satyanarayan Sinha: (a) to (c). A statement was made by the Prime Minister in the Lok Sabha on 23rd November, 1961 in which it was stated that the present Lok Sabha will meet in the latter half of March, 1962 "for transacting the minimum financial business such as the presentation of the Railway and General Budgets and the obtaining of the necessary Votes on Account."

Shri Thirumala Rao: Will there be Question-hour for the session in March?

Shri Satya Narayan Sinha: Yes; certainly.

Shri T. B. Vittal Rao: Am I to understand that the Railway Budget and the General Budget will be presented during that lame duck session?

Shri Satya Narayan Sinha: Yes; Vote on Account.

Shri T. B. Vittal Rao: Not Budget.

Shri Satya Narayan Sinha: Vote on Account: I have made it clear.

Mr. Speaker: Vote on Account is also a part of the Budget Next question.

Shri D. C. Sharma: May I know why it is called a lame duck session? It should be called by a better name.

Mr. Speaker: The hon. professor would suggest what a better name will be. Shri Aurobindo Ghosal: absent; Shri Indrajit Gupta: absent. This itself is becoming a lame duck session Shri Ram Krishan Gupta.

Fertilizer Factory in U.P.

*516. **Shri Ram Krishan Gupta:**
Shri M. B. Thakore:
Shri P. C. Borooah:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 302 on the 10th August, 1961 and state the progress since made regarding the setting up of a fertilizer factory in U.P.?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): All details about the Plant and processes and final products have been settled. The division of work and reponsibilities as between the Fertilizer Corporation of India and the Japanese Consortium who will supply the plant and equipment has been settled. Quotations for undertaking the job are awaited from the Consortium on the basis of agreed arrangements. A Project Report has been prepared.

Shri Ram Krishan Gupta: May I know what are the details of the terms offered by the Japanese firm?

Shri Satish Chandra: Those terms are awaited. This is what I have said.

Shri Ram Krishan Gupta: The hon. Minister just now said that an offer has been received. May I know what are the details of the offer?

Shri Satish Chandra: I said, the offer is awaited. Details have been settled as to what will be produced, what the processes will be and what would be the location. The project report has been received. How much money will have to be paid to the Japanese Consortium for giving us technical collaboration for the project is yet to be decided and offers for that are awaited.

Shri Tyagi: Is this factory going to be established in Bareilly or Dehra Dun? May I know in which of the two places?

Shri Satish Chandra: At none of the two places belonging to the hon. Member and myself. The proposal is to establish this factory at Gorakhpur. But, If I may take the House into confidence, some difficulty has cropped up very recently. This selected factory site near an aerodrome. There is difficulty whether a factory with high towers can be put up in the immediate vicinity of an airport. Some other site may have to be selected.

Shri Tyagi: Will it need limestone?

Shri Satish Chandra: It does not. This will produce urea which does not require limestone.

Mr. Speaker: It is in the U.P.

Shri S. M. Banerjee: I want to know what amount is being sanctioned by the Centre for this particular plant.

Shri Satish Chandra: The estimated total cost would be about Rs. 26 crores out of which Rs. 12 crores would be in foreign exchange.

Shri S. M. Banerjee: I want to know whether the preliminaries of this plant will start during the Third Five Year Plan and whether it is likely to be completed within the Third Five Year Plan.

Shri Satish Chandra: It is likely to go into production before the end of the Third Five Year Plan.

Shri T. B. Vittal Rao: May I know whether the foreign collaboration that

is being sought from Japan for this fertiliser factory is going to have any new technique of production? Because, how long are we going to have foreign collaboration for fertiliser plants?

Shri Satish Chandra: There is no major urea factory working in the country at present, except a small plant which has been added to the Sindri plant. Moreover, the production of urea in this factory will be based on naphtha from Barauni, which is absolutely a new process for this country. The fertiliser which will be produced at Gorakhpur is very different from the fertiliser produced at Sindri, Nangal etc.

Shri T. B. Vittal Rao: May I know whether the Trombay factory and the factory that is coming up at Visakhapatnam are not going to manufacture from naphtha?

Shri Satish Chandra: Yes, they will, but they are also in the process of being erected. We have no experience of those processes so far.

Export Incentives to Manganese Mine-owners

\+

*519. { **Shri Ram Krishan Gupta:** / **Shrimati Ila Palchoudhuri:** / **Shri Damani:** / **Shri P. C. Borooah:** / **Shri Vidya Charan Shukla:** }

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether a proposal to give certain export incentives to manganese mine-owners is under the consideration of the Government of India;

(b) if so, the details thereof; and

(c) the progress made in this connection?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir.

(b) and (c). The decision will be announced shortly.

Shri Ram Krishan Gupta: May I know whether Government have received any memorandum from the manganese mine-owners, and if so, what their demand is?

Shri Satish Chandra: The manganese mine-owners have represented their case on many occasions, and they make all kinds of demands. The present proposal is, as I said in answer to an earlier question, to give some additional concession in railway freight, and a decision is likely to be announced very shortly.

Mr. Speaker: Next Question. All the five Members who have sponsored this question are absent. In order to facilitate hon. Members and not to elbow out anyone, I am adding the names of all hon. Members who have tabled the question along with the main questioner, but I find that not one of them is present here now.

Then, Q. No. 521. Both Shri P. C. Borooah and Shri D. C. Sharma are absent.

Shri D. C. Sharma: I am here. I put the question.

Shri Thirumala Rao: Can a Member withdraw from the House at the time of being called? He was present here a little while ago, but he went into the background when you were about to call him.

Shri D. C. Sharma: I had to go out.

Mechanisation of Small Scale Industries

\+

*521. { **Shri D. C. Sharma:** / **Shri P. C. Borooah:** }

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether a technical meeting on small scale industries was held in Delhi in October, under the auspices of the I.L.O.;

(b) if so, whether it recommended mechanization of small industries; and

(c) if so, what action has so far been taken thereon by Government?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir.

(b) The Meeting recommended general mechanization of small scale industries taking into account the special circumstances of the countries concerned.

(c) Our development programmes already introduced by the Government are in keeping with this recommendation and no further action is called for on the basis of this recommendation.

Shri D. C. Sharma: May I know in what ways the Government of India have already implemented these recommendations, and also the details of those implemented already?

Shri Satish Chandra: The hon. Member is aware that there is a large programme of mechaisation of small-scale industries. They are springing up all over the country. More than 100 industrial estates have been established or are being established. Their number is being doubled and trebled in the present Plan, and all those industries are based on machines and power.

Shri D. C. Sharma: May I know whether the Government of India are helping some neighbouring countries or countries in South-East Asia, so far as this mechanisation is concerned?

Shri Satish Chandra: It depends on the arrangements entered into with the particular countries. So far, we have received some requests for the training of technical personnel, and those are being looked into. We are prepared to offer such facilities to the negihbouring countries in the matter of training etc. as we can possibly give within our limited resources.

Folk Songs

*522. **Shri Tangamani:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether there is a programme for folk songs in the different stations of All India Radio;

(b) if so, the nature of the same; and

(c) what is the *modus operandi* in Trichinopally station?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes Sir. Folk Songs are broadcast from every station of All India Radio and also in the Vividh Bharati programme, as well as in the National programme series.

(b) The nature of these songs differs from Station to station, but these generally include seasonal occupational ceremonial, legendary and heroic songs.

(c) The *modus operandi* at Tiruchirapalli Station is the same as at other Stations of All India Radio. Sometimes parties are invited to the studious for recording and sometimes recording teams of All India Radio are sent to rural areas to collect and record folk music for subsequent broadcast.

Shri Tangamani: Has it been brought to the notice of the Government that certain folk songs which were sent to the Tiruchirapalli station were rejected, but subsequently they were sung from another station like the Madras station?

Shri Datar: I am not aware of this.

Shri Tangamani May I know whether it is not a fact that a certain Mr. Varadarajan:

Mr. Speaker: Order, order. I am not going to allow this question. The main question is a general question. If any particular case comes to the hon. Member's notice, he must intimate to the hon. Minister and he will certainly try to look into it. If in spite of such requests . . .

Shri Tangamani: I had referred the matter to the officer concerned there. But now, the matter becomes complicated, because the artist belongs to a particular party. He was asked to go to Tiruchirapali station to sing the songs. Then, somebody must have

pointed out that he belongs to a particular group. Immediately, the songs were returned to him. But, about a week later, the same thing was broadcast in the Madras station. That was why I wanted to know whether a particular *modus operandi* is adopted in this particular station.

Mr. Speaker If really on account of some kind of partiality or prejudice, this kind of thing happens, I would not hesitate to allow a question of that kind, or if there is a kind of nepotism or discrimination, I would not hesitate to allow the question; but even if the hon. Minister who is in charge of this portfolio were present here, he might not have been able to answer the question without notice. He is not expected to know everything about everything.

Shri Tangamani: I have specifically mentioned Tiruchirapalli station, so that the hon. Minister may know how these folk songs have been broadcast.

Mr. Speaker: That does not arise out of the main question. The general question with regard to Tiruchirapalli station has been answered.

Sub-Division of Plots of Land in Delhi

*523. **Shri Ram Krishan Gupta:** Will the Minister of **Works, Housing and Supply** be pleased to refer to the reply given to Starred Question No. 514 on the 16th August, 1961 and state:

(a) whether the seven-member Committee appointed to study the proposal for sub-dividing larger plots of land in developed residential areas in Delhi, has submitted its report; and

(b) if so, the details thereof and action taken thereon?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) No, Sir.

(b) Does not arise.

Shri Ram Krishan Gupta. May I know whether these areas are being held by co-operative societies or they are in the possession of Government?

Shri P. S. Naskar: The terms of reference of this committee are to make a survey of the existing built-up areas of Delhi and look into the question of the division of those plots not exceeding 1200 square yards.

Communist Infiltration into Sikkim

\+

*524 **Shri D. C. Sharma:**
Shri P. G. Deb:
Shri Assar:

Will the **Prime Minister** be pleased to state:

(a) whether his attention has been drawn to the press reports that communist infiltration was taking place from India into Sikkim; and

(b) if so, the reaction of Government of India?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). We have seen press reports stating that the Maharajkumar of Sikkim had referred to the visit to Sikkim of certain Nepalese communists.

We have no information about the visit to Sikkim of communists from India. Indians and Nepalese move freely in and out of Sikkim and consequently no records of their movement are kept.

The siutation in Sikkim is said to be normal.

Shri D. C. Sharma: May I know whether those persons who visited Sikkim from Nepal did any kind of propaganda there, and if so, what kind of propaganda?

Shrimati Lakshmi Menon: We have no information whether they have done any propaganda or not.

Ceylon Imigration Act

*526. **Shri Tangamani:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that a considerable number of persons are detained in Talaimannar, Ceylon under Ceylon Immigration Act;

(b) if so, what steps are taken for lessening the inconvenience to these persons;

(c) whether it is a fact that in the Ceyolon Parliament the Ceylon Prime Minister stated on the 15th November, 1961 that there are "over a lakh of illicit immigrants and annual influx from India is 3,000";

(d) whether the Government of India have been informed of the Immigrant and Emigrant (Amendment) Bill now pending before Ceylon Parliament; and

(e) if so, reaction of Government to this measure?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) According to the latest information available the number of persons detained at the Talaimannar Camp in Ceylon is 150.

(b) Our High Commissioner in Colombo keeps in constant touch with the Ceylon authorities and all efforts are made to complete as expeditiously as posisble the necessary enquiries about the nationality, date of arrival etc. of these persons who are detained as suspected illicit immigrants. As soon as the authorities are satisfied about the nationality etc. of these persons, they are released or repatriated to India. The number of such persons detained at the Talaimanner Camp at the end of August 1961 was 427 and, as already stated in answer to part (a) has now come down to 150 only.

(c) Government have seen press reports to this effect.

(d) Yes.

(e) We have no comments.

Shri Tangamani: May I know whether Government have checked up from the Indian High Commisison there that the figure of 1,00,000 is exorbitant and it will not in any case exceed 10,000?

Mr. Speaker: Does the hon. Member mean that it ought not to exceed 10,000?

Shri Tangamani: There was a statement by the Prime Minister of Ceylon. I have referred to that specifically in part (c) of my question.

Mr. Speaker: Does the hon. Member suggest that it ought not to exceed 10,000?

Shri Tangamani: The impression that is sought to be created is that there is a large number of illicit immigrants, where actually, the number of illicit immigrants cannot by any stretch of imagination exceed 10,000.

Mr. Speaker: What the hon. Member says is that as a matter of fact, the number cannot be more than 10,000.

According to the hon. Member, they are trying to create the impression that a large number of immigrants are there.

Shrimati Lakshmi Menon: Those are the only illicit immigrants who are apprehended. There may be lots of other people who may not be apprehended, about whom nobody knows anything.

Shri Tangamani: There have been representations sent to the Government of India also to the effect that the figure that has been supplied by the Prime Minister of Ceylon in the House of Representatives was an inflated figure. I would like to know whether Government have received any information and they have got any comments to make.

Shrimati Lakshmi Menon: No, Sir. We have not received anything.

Shri Tangamani: If the Bill that is now introduced there is passed, it will cause really more harassment to those *bona fide* citizens, even to persons with Indian passports. That being so, what is the protest or representation made to that Government through the High Commission?

Shrimati Lakshmi Menon: We have taken up the matter in detail with the Ceylon Government. As regards the particular clause which is feared to cause additional harassment, we have

received an assurance that the Government have no intention of using this clause in order to harass the immigrants. As far as illicit immigrants are concerned, the Government of India themselves are aware of it and are doing everything possible to prevent illicit immigration into Ceylon.

Shri Tangamani: May I know whether representations have been received by Government from Indian residents in Ceylon to the effect that the Indian High Commission is not helpful in these and allied matters like the other High Commissions in different parts of the world?

Shrimati Lakshmi Menon: I take strong exception to this statement. No representation has been made. On the other hand, our High Commission in Ceylon takes the keenest interest as far as the problems of Indians are concerned, about their citizenship, about Stateless persons and about illicit immigrants.

Shri Tangamani: On a point of personal explanation. I myself visited the High Commission's office there three weeks ago and have written a detailed letter to the Prime Minister with copies of the various representations made. That is why without referring to this, I wanted to know whether representations have been received by organisations in Ceylon to the effect that the High Commission in Colombo is the least helpful to these residents there, particularly those coming from the south.

Shrimati Lakshmi Menon: No, Sir.

Mr. Speaker: Evidently the hon. Minister is not aware of the letter written by the hon. Member or of his having visited Ceylon.

Shrimati Lakshmi Menon: I would like to know who are the bodies that have made these representations.

Shri Tangamani: One is from myself. I have myself made a representation. I have also sent copies of various representations which I have received.

Shrimati Lakshmi Menon: I want to assure the House that whenever any such representations are received by the High Commission, they are examined by him; when any representations are received by the Government of India, they are referred to the High Commission. We receive his explanation. We also find out from him whether such a thing has really happened.

Mr. Speaker: Evidently the hon. Minister is not aware of the letter written by the hon. Member.

Shrimati Lakshmi Menon: Not a particular letter.

Mr. Speaker: Therefore, she must look into it.

WRITTEN ANSWERS TO QUESTIONS

Jaldhaka River in Bhutan

*493. **Shri D. C. Sharma:**
Shri Balraj Madhok:
Shri Ajit Singh Sarhadi:

Will the **Prime Minister** be pleased to state:

(a) whether an agreement providing for the utilization of the waters of the Jaldhaka river which flows through Bhutan into West Bengal has been signed between Governments of India and Bhutan; and

(b) if so, the details and terms of the agreement?

The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika): (a) Yes, Sir.

(b) Under the Agreement, a dam is proposed to be constructed across the Jaldhaka river for generating and supplying electricity to the adjoining areas of Bhutan and West Bengal. The firm power potential is expected to be 18,000 KWs, and the project is estimated to cost Rs. 4·5 crores, which will be met by the Government of West Bengal. The West Bengal Elec-

tricity Board will construct the barrage.

Organic Chemicals

*497. { **Shri Ajit Singh Sarhadi:** **Shrimati Ila Palchoudhuri:**

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 1340 on the 8th September, 1961 and state:

(a) the progress since made in the manufacture of various organic chemicals like carbon black, P.V.C. etc., and

(b) at what stage of implementation each scheme is?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). In respect of 3 schemes for P.V.C., carbon black, polyethylene and other organic chemicals proposals for technical/financial collaboration with foreign Firms have since been received and are under examination. A request for increase in the naphtha cracking capacity received from another applicant is under scrutiny with particular reference to the type and capacity of the cracker. In regard to the remaining 3 schemes for polyethylene, synthetic rubber and Phenol etc. we are hoping to hear about the definite steps taken by the parties, about the middle of the next month.

Textile Industry in Ahmedabad

*500. **Shri P. C. Borooah:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the textile industry in Ahmedabad had been facing serious threat of closure as a result of shortage of coal from September, 1961 onwards; and

(b) if so, what action has been taken to avert the crisis?

The Minister of Commerce (Shri Kanungo): (a) Textile Mills in Ahmedabad experienced shortage of steam coal during September, 1961.

(b) Coal allocations to the mills were stepped up and additional transport facilities were arranged.

Slum Clearance in Delhi

*506. **Shrimati Maimoona Sultan:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether a rupees thirteen crore scheme for Delhi's slum clearance has been recently finalised; and

(b) if so, what are the details of the scheme?

The Deputy Minister of Works, Housing and Supply (Shri Anil K Chanda): (a) No.

(b) Does not arise.

Indian Doctors serving in Burma

*507. **Shri H. N. Mukerjee:** Will the **Prime Minister** be pleased to state:

(a) whether Government of India have examined reports regarding the difficulties experienced by Indian doctors serving in Burma; and

(b) whether Government of India are requesting the Government of Burma to offer improved terms for their contract of service in Burma?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) No reports regarding the difficulties experienced by Indian doctors presently serving in Burma have come to the notice of Government. However, a few complaints from doctors who served in Burma previously were received and have been duly looked into.

(b) At the request of the Government of Burma, the Government of India have approved of the recruitment of 104 Indian doctors by the Government of Burma. Provision has been made in the new Agreement to safeguard the interests of the Indian doctors.

Explosion in Southern India Exporting Company Fireworks at Sivakasi

*508. **Shri Tangamani:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether there was an explosion in the Southern India Exporting Company Fireworks at Sivakasi on the 7th September, 1961;

(b) whether there was loss of life in the accident; and

(c) what is the result of the enquiry into the accident?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes, Sir.

(b) Five persons died as a result of the accident.

(c) The exact cause of the explosion could not be ascertained. It, however, appears to have occurred during the 'plugging operation' of semi-finished 'wheels' (chakrams) with a wet fireworks composition of Barium Nitrate, Potassium Nitrate and pyro Aluminium powder.

Asia Magazine

*511. **Shri Joachim Alva:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether the Asia Magazine, published in Hong Kong, has sought the permission from the Government of India for publication of their periodical in India;

(b) whether Government are aware that the magazine is now being distributed freely along with the copies of the *Times of India*, Sunday edition; and

(c) what is the policy of Government in regard to such publication or distribution of such periodicals in our country?

The Minister of Information and Broadcasting (Dr. Keskar): (a) No, Sir. A request has, however, been received from the Times of India for approval to an agreement between M|S Bennet Coleman and Co. and the Asia Magazine Ltd., Hong Kong, for printing and publishing the magazine in India.

(b) Yes, Sir.

(c) It is the general policy of Government not to permit the publication of foreign-owned newspapers or periodicals in India. Under the Press and Registration of Books Act, 1867, it is obligatory that the grinter, publisher and editor of a newspaper or periodical should ordinarily reside in India. The request is being carefully examined in the light of our general policy.

Displaced Families in Purana Quila, New Delhi

*512. **Shri Balraj Madhok:** Will the Minister of **Rehabilitation** be pleased to state:

(a) whether it is a fact that about 300 refugee families have been living in the old rooms in the walls of Purana Quila in New Delhi;

(b) whether Government have made any survey about the eligibility of these families for rehabilitation; and

(c) if so, what plans have been made to rehabilitate them in view of the dangerously dilapidated condition of these rooms?

The Minister of Rehabilitation (Shri Mehr Chand Khanna): (a) and (c). The wall rooms in Purana Qila were cleared in 1953 and again in 1956 and the residents provided alternative accommodation. Any squatters who have come to these wall rooms subsequently will be dealt with under the overall problem of removal of slum congestion in Delhi.

(b) No.

Training of Management Personnel

*514. **Shri Aurobindo Ghosal:** Will the Minister of **Planning** be pleased to state:

(a) whether Government propose to set up any institute for training the management personnel; and

(b) if so, when and why?

The Deputy Minister of Planning (Shri S. N. Mishra): The Question will be answered by the Minister for

Scientific Research and Cultural Affairs on a subsequent day.

Export of Jute Bags and Hessian Cloth to Cuba

*515. **Shri Indrajit Gupta:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether a purchasing mission from Cuba recently visited India;

(b) whether it is a fact that the mission expressed Cuba's desire to buy a large quantity of jute bags and hessian cloth; and

(c) the outcome of the mission's investigations in this respect?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) The mission's discussions were of an exploratory character. It did not indicate any details of Cuba's purchasing programme.

(c) No information is available.

International Ore and Fertilizers Corporation of New York

*517. **Shri Shree Narayan Das:**
Shri Radha Raman:
Shri Indrajit Gupta:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the State Trading Corporation has concluded a barter deal with the International Ore and Fertilizers Corporation of New York involving the export of jute goods to U.S. and the import of fertilizers from different parts of the world;

(b) if so, the cicumstances in which this has been done; and

(c) the advantages and disadvantages of the deal?

The Minister of Commerce (Shri Kanungo): (a) to (c). The deal has not yet been concluded.

Development of Land at Faridabad

*518. **Shri D. C. Sharma:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether Punjab Government have requested for grant of Central assistance for acquisition and development of land at Faridabad; and

(b) if so, the action taken in the matter?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes.

(b) An allocation of Rs. 150 lakhs has been made to the Punjab Government for the implementation of the Land Acquisition and Development Scheme in the State during the Third Plan period. The State Government can utilise an appropriate part of this allocation for the acquisition and development of land for Housing and connected purposes at Faridabad.

L.I.C. Investments for Housing Schemes

*517. **Shri Ajit Singh Sarhadi:**
Shri Shree Narayan Das:
Shri Radha Raman:
Shri D. C. Sharma:
Shri Damani:

Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that the funds of Life Insurance Corporation are going to be invested for Housing Schemes; and

(b) if so, the allocation to be made for each State and other details of the scheme?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes. The Life Insurance Corporation are expected to provide funds to the extent of Rs. 60 crores for the implementation of the Housing programme during the Third Five Year Plan.

(b) Statewise|Shemewise allocation of these funds for the entire Plan period has not yet been finalised.

Manufacture of Rubber Tyres

525. Shri Ajit Singh Sarhadi:* Will the Minister of **Commerce and Industry be pleased to refer to the reply given to Unstared Question No. 2544 on the 28th August, 1961 and state:

(a) how far the three schemes recently licenced for the manufacture of rubber tyres have progressed;

(b) whether India will become self-sufficient when all these three factories go into full production; and

(c) if not, what steps are being taken to obtain self-sufficiency?

The Minister of Industry (Shri Manubhai Shah): (a) The parties are taking effective steps to implement the schemes.

(b) and (c). The country is likely to be self-sufficient in tyres and tubes in the Third Plan. Also the question of raising, if necessary, the target for automobile tyres and tubes for the Third Plan is under consideration.

Small Scale Industries in Gujarat

1001. Shri M. B. Thakore: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 1524 on the 13th March, 1961 and state:

(a) whether the Government of India issued any licence to set up small scale industries in the State of Gujarat during 1957 to 1960 and 1960 to 1961 so far; and

(b) if so, the details thereof?

The Minister of Industry (Shri Manubhai Shah): (a) No licence is required to set up a small scale industrial unit. Allotment of raw material is, however, made on the strength of essentiality certificates issued by the State Directorate of Industries. For this purpose, the units are advised to register themselves with the State Directorate of Industries.

(b) Does not arise.

Training in Business Management

1002. Shri Pangarkar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the number of persons who were given training in Business Management in small Industries Service Institutions in Maharashtra during the year 1960-61; and

(b) the expenditure incurred on them?

The Minister of Industry (Shri Manubhai Shah): (a) 166 persons were trained in Business Management in Maharashtra during the year 1960-61.

(b) An amount of Rs. 270|-was paid as honoraria to the guest speakers.

Rebate of Handloom Weavers' Co-operative Societies in Maharashtra

1003. Shri Pangarkar: Will the Minister of **Commerce and Industry** be pleased to state

(a) whether it is a fact that huge amount of arrears of rebate of handloom weavers cooperative societies in Maharashtra is outstanding for payment;

(b) if so, the amount outstanding for payment as on 1st October, 1961; and

(c) the reasons for delay in payment?

The Minister of Commerce (Shri Kanungo): (a) to (c). The information is being collected from the State Government and will be laid on the Table of the House.

Foreign Companies in Cotton Textile Industry

1004. Shri Pangarkar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the number and names of foreign companies in cotton textile industry in India; and

(b) the amount of profit remitted by them outside India during 1960-61?

The Minister of Commerce (Shri Kanungo): (a) and (b). Such information and statistics are not maintained and are, therefore, not available.

Refugees from East Bengal

1005. Shri P. G. Deb: Will the Minister of **Rehabilitation** be pleased to state:

(a) whether the refugees from East Bengal living in Orissa were badly hit by the recent floods in the State; and

(b) if so, what help was rendered to them?

The Minister of Rehabilitation (Shri Mehr Chand Khanna): (a) and (b). About 900 agriculturist families from East Pakistan settled in Bhusandpur in Orissa were affected by the recent floods. The Government of Orissa are making necessary arrangements for gratuitous of relief and test works for them as in the case of the local population. The Rehabilitation Department in Orissa was closed about a year ago.

Import of Indian Handlooms by Ceylon

1006. Shri P. G. Deb: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Ceylon has removed restrictions on the import of Indian handlooms; and

(b) if not, the action taken in the matter?

The Minister of Commerce (Shri Kanungo): (a) and (b). Government are not aware of any restrictions imposed by Ceylon on imports of Indian handlooms. If the reference is to handloom textiles, Ceylon has not removed the restrictions, which, however, apply to imports from all sources. This subject was discussed during the recent trade talks with Ceylon as a result of which Ceylon has agreed to relax the restrictions on handloom textiles to some extent.

Trade with Ladakh and Tibet

1007. Shri P. G. Deb: Will the Minister of **Commerce and Industry** be pleased to state:

(a) how much trade was conducted between Ladakh and Tibet recently; and

(b) the commodities imported and exported to that area?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). Trade between Ladakh and Tibet is not recorded separately in our trade statistics.

Import-Export Licences

1008. Shri Daljit Singh: Will the Minister of **Commerce and Industry** be pleased to state the number of firms that have been black-listed in Punjab for indulging in malpractices in obtaining export and import licences in 1961?

The Minister of Commerce (Shri Kanungo): None, Sir.

Passports issued to Indians to visit China

1009. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state the number of Indians who have been issued passports to visit China during the last four months?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): 103 Indians were issued with passports valid for travel to China during the four months July, August, September and October, 1961, 102 of them were official and diplomatic passports.

Dandakaranya Project

1010. Shri D. C. Sharma: Will the Minister of **Rehabilitation** be pleased to state:

(a) the total number of families settled in Dandakaranya upto the 1st October, 1961;

(b) the number of villages and houses that are ready to accommodate refugee families;

(c) whether any villages or houses have been built for local tribal population; and

(d) if so, what is the number of tribal families who have taken advantage of this scheme so far?

The Minister of Rehabilitation (Shri Mehr Chand Khanna): (a) Upto the 1st October, 1961, 3463 families had moved to Dandakaranya. 2329 of these families had been settled on village sites.

(b) 75 village sites have been selected in which 357 houses have been completed and 1720 are under construction by the displaced persons themselves.

(c) and (d). The settlement of tribals is being undertaken through the State Governments concerned. Out of 4294 acres of reclaimed land placed at the disposal of the Governments of Orissa and Madhya Pradesh, 3906 acres have been distributed to 484 tribal families.

Tibetan Refugees in India

1011. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state the total number of Tibetan refugees living in India at present?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): The total number of Tibetan refugees living in India at present is 32,296.

Registered Unemployed in Punjab

1012. Shri Daljit Singh: Will the Minister of **Labour and Employment** be pleased to state:

(a) the number of persons registered in the Employment Exchanges during 1961-62 so far in Punjab; and

(b) the number of the registered unemployed who were provided with jobs during 1961-62 so far?

The Deputy Minister of Labour (Shri Abid Ali): (a) 1,36,620 during April—Oct. 1961.

(b) 25,546 during April—Oct. 1961.

दिल्ली के होटलों में गोमांस का परोसा जाना

१०१३. श्री प्रकाशवीर शास्त्री : क्या निर्माण, आवास और संभरण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अशोक होटल (नई दिल्ली) में गोमांस के परोसने और बनाने आदि पर सर्वथा प्रतिबन्ध लगा दिया गया है ;

(ख) दिल्ली और नई दिल्ली के और ऐसे कितने होटल हैं जिनमें गोमांस दिया जाता है ;

(ग) क्या सरकार ने उन होटलों के मालिकों को भी बहुसंख्यक समुदाय की धार्मिक भावनाओं का आदर करते हुये गोमांस के प्रयोग पर रोक लगाने का सुझाव दिया है; और

(घ) क्या सरकार के पास इस सम्बन्ध में आंकड़े हैं कि गत पांच सालों में जनपथ होटल और वैस्टर्न कोर्ट में कितना-कितना गोमांस आया ?

निर्माण, आवास तथा संभरण उपमंत्री (श्री अनिल कु० चन्दा) : (क) हां ।

(ख) सम्भव है कुछ होटलों में गोमांस दिया जाता हो । उनकी संख्या मालूम नहीं है ।

(ग) नहीं ।

(घ) होटल जनपथ और वैस्टर्न कोर्ट में कभी गोमांस नहीं दिया गया ।

Occupational Risks in Industry

1014. **Shri Indrajit Gupta:**
Shri Shree Narayan Das:
Shri Radha Raman:

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 1325 on the 8th September, 1961 and state the details of the Government's programme for study and prevention of occupational risks in industry?

The Deputy Minister of Labour (Shri Abid Ali): In order to assess working environments in industries with a view to eliminating health hazards, the Industrial Hygiene Unit, in Chief Adviser Factories' Organisation, which was set up in 1949, has carried out so far 20 comprehensive surveys. The Organisation has for the present in its programme of work the following surveys:—

(a) Silicosis in Zawar Lead and Zinc Mines, Udaipur;

(b) Health hazards among dock workers engaged in loading of manganese ore;

(c) Occupational health hazards in certain types of chemical and dye-stuff industries;

(d) Pneumoconiosis in asbestos cement manufacture; and

(e) Health hazards among coal trimmers in Calcutta docks.

The recommendations made on the basis of these surveys are brought to the attention of the State Governments and other parties concerned to improve working conditions in factories.

Loans to Industrialists in Kanpur

1015. **Shri S. M. Banerjee:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether some of the industrialists in Kanpur have been advanced loans from National Industrial Development Corporation in 1961 so far;

(b) if so, the amount of loan in each case;

(c) the names of the industrialists to whom loans have been given; and

(d) the purpose for which loans have been advanced?

The Minister of Commerce (Shri Kanungo): (a) No, Sir.

(b) to (d). Do not arise.

Financial Control over Public Undertakings

1016. **Shri Ram Krishan Gupta:** Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 667 on the 10th August, 1961 and state:

(a) whether Government have since examined a suggestion to bring forward a legislation for the exercise of a financial control over and regulation of the affairs of public undertakings set up by Government Resolutions and those bodies which are receiving grants-in-aid from Government; and

(b) if so, with what result?

The Minister of Commerce (Shri Kanungo): (a) The matter is still under consideration.

(b) Does not arise.

Textile Mills in Punjab

1017. **Shri Ram Krishan Gupta:** Will the Minister of **Commerce and Industry** be pleased to refer to the reply

given to Unstarred Question No. 52 on the 7th August, 1961 and state:

(a) whether Government have considered applications received for grant of licences to start textile mills in Punjab; and

(b) if so, the result thereof?

The Minister of Commerce (Shri Kanungo): (a) and (b). The recommendations of the Government of Punjab for the grant of licences against the allocation made to the State have been received. This is under consideration and a decision is likely to be taken shortly.

Film on Removal of Untouchability

1018. **Shri Ram Krishan Gupta:**
Shri Kodiyan:
Shri Warior:
Shri D. C. Sharma:

Will the Minister of **Information and Broadcasting** be pleased to refer to the reply given to Unstarred Question No. 50 on the 7th August, 1961 and state the further progress made in the production of a film on the removal of untouchability?

The Minister of Information and Broadcasting (Dr. Keskar): The script is still being finalised.

Aluminium Plant in Madhya Pradesh

1019. **Shri Ram Krishan Gupta:** Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 888 on the 23rd August, 1961 and state:

(a) whether Government have since considered the application of a private firm for setting up of an aluminium plant in Madhya Pradesh; and

(b) if so, the result thereof?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A public Sector plant with Hungarian collaboration is being actively considered. The possibility of a second private sector aluminium unit in Madhya Pradesh therefore does not exist.

सरकारी दफ्तरों को दिल्ली से बाहर ले जाना

१०२०. **श्री भक्त दर्शन :** क्या **निर्माण, आवास और संभरण** मंत्री ८ सितम्बर, १९६१ के तारांकित प्रश्न-संख्या १३४२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) दिल्ली के कुछ एक सरकारी कार्यालयों को अन्यत्र स्थानान्तरित करने की दिशा में अब तक क्या प्रगति हुई है ; और

(ख) किन-किन दफ्तरों को स्थानान्तरित करने के बारे में विचार किया जा रहा है ?

निर्माण, आवास तथा संभरण उपमंत्री (श्री अनिल कु० चन्दा) : (क) और (ख). इस विषय में प्रस्तावों पर अंतिम निर्णय नहीं हुआ है । इसलिये वर्तमान स्थिति में यह नहीं बताया जा सकता कि कौन से कार्यालय कहां-कहां भेजे जायेंगे । परन्तु यह प्रस्ताव है कि फरीदाबाद में केन्द्रीय सरकार के कार्यालयों के लिये १ लाख वर्ग फुट स्थान की व्यवस्था करने के लिये इमारतें बनाई जायें । वहां कौन से कार्यालय भेजे जायें, इसके विषय में निश्चय यथा समय किया जायेगा ।

कर्सियांग में शार्ट वेव स्टेशन

१०२१. **श्री भक्त दर्शन :**
सरदार इकबाल सिंह :

क्या **सूचना और प्रसारण** मंत्री १९ अगस्त, १९६१ के अतारांकित प्रश्न-संख्या १६६२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि सिक्किम के निकट कर्सियांग में शार्ट वेव ट्रांसमिटर लगाने के बारे में क्या प्रगति हुई है ?

सूचना और प्रसारण मंत्री (डा० केसकर) : स्टूडियो और ट्रांसमीटर की दोनों इमारतों पर यंत्र लगाने का कार्य आरम्भ कर दिया गया है । स्टूडियो में ध्वनि-सम्बन्धी

व्यवस्था भी हो रही है । तकनीकी फनीचर बनाया जा रहा है और उपकरणों की वायरिंग भी हो रही है ।

जहां तक ट्रांसमीटर का सम्बन्ध है, इसकी इमारत में बनावट के कुछ सुधार किये जा रहे हैं और ट्रांसमीटर तथा ग्रहण केंद्र दोनों के उपकरण पहुंच चुके हैं । आकाशी यन्त्र भी लग रहे हैं ।

एक केंद्र निदेशक कुछ आवश्यक स्टाफ के साथ कुसियांग पहुंच चुके हैं, और उम्मीद है कि यह केन्द्र फरवरी । मार्च, १९६२ तक चालू कर दिया जायेगा ।

ग्यान्त्से (तिब्बत) में भारतीय व्यापार एजेंसी का भवन

१०२२. **श्री भक्त दर्शन :**
श्री राम कृष्ण गुप्त ।
श्री अगाड़ी :

क्या प्रधान मंत्री ७ अगस्त, १९६१ के तारांकित प्रश्न संख्या ७५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या ग्यान्त्से (तिब्बत) में भारतीय व्यापार एजेन्सी का भवन बनाने का कार्य इस बीच प्रारम्भ हो गया है ; और

(ख) यदि नहीं, तो कब तक इस के निर्माण में अड़चन दूर हो जाने की आशा की जाती है ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क) जी नहीं ।

(ख) इस तथ्य को देखते हुए कि एजेंसी जिस स्थान पर बननी है, उस के पट्टे के संबंध में १९५८ से ले कर अब तक बातचीत चलती ही जा रही है और चीनियों ने यह बातचीत पूरी करने तथा पट्टे को अन्तिम रूप देने के बारे में कोई रजामंदी नहीं जाहिर की है, फ़िलहाल यह कह सकना असंभव है कि व्यापार एजेंसी की इमारत का बनना, अगर शुरू होगा भी तो कब होगा । चीनियों ने यह संकल्प कर लिया है कि इस मामले में कोई प्रगति न हो । जब एक बाधा दूर होती है, तो दो और खड़ी कर दी जाती हैं । सब से हाल की बाधा यह है कि चीनी इस बात पर जोर दे रहे हैं कि एजेंसी की जमीन के पट्टे को अन्तिम रूप देने से पहले हम किराये के आवास का पट्टा कर लें । इस के अलावा, उन्होंने पट्टे पर दी जाने वाली जमीन की भौगोलिक सीमा को ले कर भी एक नया झगड़ा खड़ा कर दिया है, जबकि जाहिरा तौर पर यह मामला दोनों पक्षों के लिए संतोषप्रद रूप में सुलझ चुका था ।

Geneva Conference on Laos

1023. **Shri Radha Raman:**
Shri Kodiyan:
Shri Warior:

Will the **Prime Minister** be pleased to state:

(a) whether the Geneva Conference on Laos has concluded;

(b) if so, the conclusions reached there;

(c) whether terms and conditions for the appointment and functioning of International Commission in Laos have been finalised;

(d) whether India has been associated in any way with this Commission; and

(e) if so, the nature of such association?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) No.

(b) and (c). Do not arise.

(d) and (e). India is the Chairman of the original as well as of the reconvened International Commission for Supervision and Control in Laos

Economic Development of Kerala

1024. Shri Harish Chandra Mathur: Will the Minister of **Planning** be pleased to state:

(a) whether members of any political party submitted any memorandum complaining about unsympathetic and discriminatory treatment by Central Government against Kerala State in matters of economic development; and

(b) how this memorandum has been disposed of?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) A memorandum on the subject appears to have been addressed to the Governor of Kerala.

(b) Does not arise.

Coal Washing Plant

1025. Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether there is any proposal to put up project for manufacturing of Coal Washing plants;

(b) if so, whether the project will be set up in public or private sector;

(c) what is the present demand of coal washing plant; and

(d) what percentage of this demand is met from indigenous supply?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). Government have no proposal to set up a unit specifically for the manufacture of Coal Washing Plants. The units in the private sector have been licensed to manufacture Coal Washing Plants. Two other schemes for the manufacture of these plants are under the consideration of Government. As at present estimated, the country would be requiring Coal Washing Machinery worth about Rs. 5 crores per annum. There is no indigenous manufacture at present but the demand is expected to be fully met when the schemes mentioned above are implemented.

Export of Leather Goods to Switzerland

1026. Shri Subodh Hansda:
Shri R. C. Majhi:
Shri Nek Ram Negi:
Shri S. C. Samanta:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that finished leather goods have very good market in Switzerland;

(b) whether Government intend to export leather goods to this country; and

(c) if so, what steps Government are taking to export the goods?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) There is a market for superior quality travel goods, hand bags, wallets, brief cases and the like.

(b) and (c). Private trade is freely allowed to export leather manufactures. The usual facilities of drawback of customs duty on components and fittings used in the manufacture of the exported product are available to exporters. Exporters also receive additional import licences for such components and fittings on the basis of their export performance. The Commercial Section of our Embassy at Berne assists the Indian exporters in respect of trade inquiries. The Export Promotion Council for Leather is also entrusted with the task of developing export markets for leather and leather goods.

Paper Plants

1027. Shri R. C. Majhi:
Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether there are proposals to manufacture bigger paper plants;

(b) when the proposals will be finalised;

(c) whether these plants will be manufactured in Public or Private Sector; and

(d) whether new projects will be put up to manufacture these plants?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). Government have no proposal to set up units for the manufacture of paper making Plants. Seven firms have already been licensed under the Industries (Development and Regulation) Act, 1951, for the manufacture of complete paper making plants of a capacity of 50 tons and above per day. The country's demand for large scale paper plants is expected to be met when these licensed units go into full production.

Aid to African Countries

1028. **Dr. Ram Subhag Singh:**
Shri P. G. Deb:
Shri Arjun Singh Bhadauria:

Will the **Prime Minister** be pleased to state:

(a) how much aid has been given by India to African countries during the year 1960-61; and

(b) the details of the same?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). A statement giving details of aid given by India to African countries during the year 1960-61 is laid on the Table of the House. [*See* Appendix II, annexure No. 26.]

Free World Common Market

1029. **Shri P. C. Borooah:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the attention of Government has been drawn to the suggestion of the Senate-House Economic Sub-Committee on International Exchange and Payments in U. S. regarding the formation of a 'free world common market' to replace the regional common markets such as European Common Market as reported in the 'Statesman' dated the 29th August, 1961; and

(b) if so, what is Government's reaction thereto?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) Universal free trade would be feasible only when the existing disparities in economic development between the different countries of the world have largely disappeared.

Wool Combing Plant at Ludhiana

1030. **Shri Ajit Singh Sarhadi:** Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 1327 on the 18th September, 1961 and state:

(a) how far progress has been made in establishing a wool combing plant by the All India Wood Combers' Society at Ludhiana; and

(b) what financial aid has been given by the Government of India so far?

The Minister of Commerce (Shri Kanungo): (a) The Cooperative Society has purchased a part of the land required for the factory and is also taking steps to import the machinery.

(b) No financial aid has been given.

Coir Industry in Kerala

1031. **Shri Ajit Singh Sarhadi:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the steps taken to mechanise the matting sector in the coir industry in Kerala; and

(b) the progress made in that connection?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The selection of the Coir Units engaged in the manufacture of mattings who are

to mechanise part of their production is now in hand.

Trade with Iran

1032. Shri Ajit Singh Sarhadi: Will the Minister of **Commerce and Industry** be pleased to state:

(a) how far the trade between India and Iran progressed under the agreement signed on the 2nd May, 1961; and

(b) whether any review of the terms of the agreement has been held between the two Governments in the light of the experience gained?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) It is too early to make an assessment of the progress made as a result of the signing of the Agreement on 2nd May, 1961.

(b) No, Sir.

House Building Loans for Government Employees

1033. {Shri Ram Krishan Gupta: Shrimati Ila Palchoudhuri:

Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that the Union Government have advised the State Governments to formulate schemes financed from their own resources for granting house-building advances to their employees; and

(b) if so, the action taken by State Governments?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes.

(b) No reply has yet been received from the Governments of Orissa and Jammu and Kashmir. All the other State Governments are granting house-building advances to their employees under their respective Rules.

Construction of Quarters during Third Plan

1034. Shri Ram Krishan Gupta: Will the Minister of Works, Housing and **Supply** be pleased to refer to the reply given to Unstarred Question No 1609 on the 19th August, 1961 and state:

(a) whether Government have considered proposals for construction of more quarters during the Third Five Year Plan period; and

(b) if so, the number of quarters to be constructed during Third Five Year Plan (year-wise)?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). Over 9000 quarters in Delhi and 300 each at Bombay and Calcutta, out of the programme sanctioned during the second Five Year Plan, will be completed and available for occupation during the third Plan. The programme of construction of more quarters during the third Plan is under consideration. The construction of quarters is proposed to be extended also to Madras and Faridabad. Preliminaries like acquisition and development of land are being attended to. The actual programme of construction has not yet been finalised. It is, therefore, not possible to indicate, with any degree of precision, the number of quarters proposed to be constructed each year.

Survey of the Carpet Industry

1035. Shri Ram Krishan Gupta: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 570 on the 10th August, 1961 and state:

(a) whether the survey of the Carpet Industry in the country has been completed; and

(b) if so, the details of the Survey Report?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) The Report on the survey of Carpet Industry conducted by the All India Handicrafts Board is under compilation.

Industries (Development and Regulation) Act, 1951

1036. Shri Ram Krishan Gupta: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 1607 on the 19th August, 1961 and state at what stage is the question of assuming more powers under the Industries (Development and Regulation) Act, 1951 to take over industries which close down or go into liquidation on account of internal quarrels of the management?

The Minister of Industry (Shri Manubhai Shah): The matter is still under consideration.

Small Scale Industries Board

1037. Shri P. C. Borooah:
Sardar Iqbal Singh:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Raw Material Sub-Committee of the Small Scale Industries Board met in New Delhi in September; 1961;

(b) if so, what recommendations were made by the Sub-Committee; and

(c) what is Government's decision thereon?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House. [Placed in Library, *See* No. LT-3384/61].

Industrial Estates

1038. Shri Ajit Singh Sarhadi: Will the Minister of **Commerce and Industry** be pleased to state:

(a) what directive has been given to the State Governments about the fixation of quota of Industrial Estates in the rural areas during the Third Five Year Plan; and

(b) whether the Punjab Government have informed the Centre of location of Industrial Estates in the rural areas?

The Minister of Industry (Shri Manubhai Shah): (a) It has been suggested to the State Governments that at least 75% of the total allocation for small scale industries including Industrial Estates should be spent in rural and semi-urban areas, of which two-thirds (*i.e.* about 50% of the total) should be in rural areas with a population of less than 5,000.

(b) The Government of Punjab propose to establish 72 rural industrial estates in the Third Five Year Plan period out of which the location of 10 estates to be established during 1961-62 is as under:—

Location	*District*
1. Dharampore	Simla
2. Rurka Kalan	Jullundur
3. Otalon	Ludhiana
4. Sarai Naga	Ferozepur
5. Panj Grain	Bhatinda
6. Ghuman	Gurdaspur
7. Sohana	Gurgaon
8. Barwala	Hissar
9. Banur	Patiala
10. Jawali	Kangra

The location of the other estates to be established during Third Five Year Plan will be decided in due course.

Demand for Indian Glass

1039. Shri Ajit Singh Sarhadi: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 1234 on the 5th September, 1961 and state:

(a) whether the detailed report of the delegation of glass manufacturers which visited Pakistan, Middle East and East African countries in the beginning of the year 1961 has since been received; and

(b) the salient recommendations of the delegation?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir.

(b) A statement is laid on the Table of the House.

STATEMENT

Main Recommendations

1. Steps should be taken to concentrate on the Export of bottles, vials and phials, domestic glassware, glass sheets, mirrors, safety glass, glass bangles and to the limited extent laboratory glass and ampoules.

2. Adequate publicity should be undertaken among the overseas trade, by forwarding samples and by advertising extensively.

3. A Sub-Committee of the glass panel of the Chemicals and Allied Products Export Promotion Council, should formulate standards of export packing and ensure that such standards were uniformally complied with.

4. Prices should be adjusted having regard to the prices quoted by competing countries.

5. Railway and steamer freight rates need to be lowered.

6. Exporters should execute foreign orders expenditiouslo.

7. Regular cargo service between Calcutta port and Karachi port should be made available.

8. Glass and Glassware should be included as an item exportable from India in all Trade Agreements.

9. Special attention should be given to the uniformity of the articles.

10. Indian manufacturers should appoint sole selling agents in the West Asian and East African countries.

Central Park in Connaught Circus, New Delhi

1040. { Shri Ajit Singh Sarhadi: Sardar Iqbal Singh:

Will the Minister of **Works, Housing and Supply** be pleased to refer to the reply given to Unstarred Question No. 3344 on the 5th September, 1961 and state:

(a) whether any decision has been arrived at on the shortening of Central Park in Connaught Circus, New Delhi, with a view to provide more parking space in the Capital; and

(b) if so, the decision taken and when it would be implemented?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Not yet.

(b) Does not arise.

Taxation during Third Plan Period

1041. Shrimati Ila Palchoudhuri: Will the Minister of **Planning** be pleased to state whether it is a fact that the Indian Merchants' Chamber of Bombay have submitted a memorandum to the Government of India suggesting re-examination at expert level of the Government's approach to taxation and of the high targets fixed for additional taxation during the Third Plan period?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): The suggestion for examination at expert level of the Government's approach to taxation was made by the President of the Indian Merchants' Chamber, Bombay, in a speech on September 19, 1961. This subject was fully considered before the Third Plan was formulated.

Appointment of Tea Advisers in West Germany and Iran

1042. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government have had of late under consideration the appointment of Tea Advisers in West Germany and Iran as a measure of Tea Export Promotion; and

(b) if so, what decision has since been taken in the matter?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). It has been decided that, for the present, no separate Tea Adiviser need be appointed in West Germany. The question of appointing a similar officer in Iran has not been considered recently by the Government.

हरिजन औद्योगिक बस्तियां

१०४३. **श्री म० ला० द्विवेदी :** क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) अब तक प्रत्येक राज्य में कितनी हरिजन औद्योगिक बस्तियां स्थापित की जा चुकी हैं ; और

(ख) तीसरी पंचवर्षीय योजना के दौरान प्रत्येक राज्य में कितनी ऐसी बस्तियां स्थापित होने जा रही हैं ?

उद्योग मंत्री (श्री मनुभाई शाह) : (क) और (ख). अनुसूचित वर्गों और अनुसूचित आदिम जातियों के लिये अभी तक कोई भी औद्योगिक बस्ती नहीं बसाई गई है ।

फरवरी, १९६१ में अनुसूचित वर्गों के लिये उत्तर प्रदेश की सरकार ने ३० लाख रु० की कुल लागत (३ लाख प्रत्येक बस्ती के लिये) से १० औद्योगिक बस्तियां स्थापित करने की एक योजना मंजूर की थी और आशा है कि इन औद्योगिक बस्तियों को बसाने का काम तीसरी योजना की अवधि के पहले दो वर्षों में पूरा हो जायेगा । ये बस्तियां निम्नलिखित स्थानों पर स्थापित की जा रही हैं :—

१. फैजाबाद
२. वाराणसी
३. फतेहपुर
४. हरदोई
५. रामपुर
६. मुजफ्फरनगर
७. हल्द्वानी
८. छिटौनी
९. कोसी कलां
१०. कालपी

ये बस्तियां अनुसूचित वर्ग के लोगों को बिना कुछ किराया लिये दी जायेंगी । इन बस्तियों में उद्योग चलाने का काम अनुसूचित वर्ग के लोगों की सहकारी समितियां करेंगी और यदि आवश्यक समझा गया तो १० प्रतिशत गैर-हरिजन भी रहेंगे । गैर-अनुसूचित जाति के लोगों को इस में शामिल करने का विचार नहीं है किन्तु कुछ मामलों में इन जातियों से बाहर के कुछ ऐसे उद्यमी लोगों को भी शामिल किया जा सकेगा जिन के आस-पास हरिजनों द्वारा चलाये जाने वाले कारखाने पनप सकें । इस बात को भी ध्यान में रखा जायेगा कि इन बाहरी उद्यमियों की संख्या कम से कम रहे और वह प्रत्येक मामले में १० प्रतिशत से अधिक न हो । इन कारखानों में से ९० प्रतिशत सहकारी समितियों के लिये सुरक्षित ही रहेंगे और केवल १० प्रतिशत व्यक्तिगत रूप से काम करने वाले हरिजनों के लिये रहेंगे ।

चल-चित्रों का आयात

१०४४. **श्री म० ला० द्विवेदी :** क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि विदेशों से जो फिल्में भारत में आती हैं वे सब सारे देश में नहीं दिखाई जातीं ; और

(ख) यदि हां, तो इस के क्या कारण हैं ?

सूचना और प्रसारण मंत्री (डा० केसकर) : (क) और (ख). विभिन्न स्थानों पर फिल्मों का प्रदर्शन फिल्म उद्योग के हाथों में

ऋण नहीं लगाती ।

अध्यापक प्रशासक

१०४५. **श्री म० ला० द्विवेदी** : क्या श्रम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय कामगर शिक्षा बोर्ड के अध्यापक प्रशासकों की योजना के अन्तर्गत जितने लोगों को शिक्षित करने का लक्ष्य रखा गया था उस में कमी कर दी गई है ; और

(ख) यदि हां, तो इस के क्या कारण हैं ?

श्रम उपमंत्री (श्री आबिद अली) : (क) जी नहीं ।

(ख) प्रश्न नहीं उठता ।

Small Scale Industries

1046. Shri Ajit Singh Sarhadi: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that small entrepreneurs in Small Scale Industries Sector have no facility of credit when Finance Corporation do not lend less than Rs. 20,000; and

(b) if so, what steps are being taken to allow them credit against their manufactured articles?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir. Government loans to small industrialists are given by State Governments under their State Aid to Industries Acts/ Rules. Under a liberalised pattern of assistance, the State Governments may advance loans upto Rs. 1,000 on personal bonds. Loans up to Rs. 5,000 may be granted by the State Governments against 75 per cent. of the value of the security offered, which may include land, building, machinery and other assets created out of the loan. For better coordination and service to small industries, it has been suggested that the State Governments may ordinarily grant loans upto Rs. 15,000 and the State Financial Corporation may act as Government Agents for higher amounts.

(b) In addition to the State Aid loans, the State Bank of India provides working capital loans on pledge of raw material or finished goods.

L.I.C. Loan for Punjab Government for Building Houses

1047. Shri Ajit Singh Sarhadi: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that Punjab Government have approached the L.I.C. for loan to invest for building houses at Chandigarh; and

(b) if so, the amount asked for and the decision of the L.I.C. on the subject?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). The Life Insurance Corporation release funds to the States under the Middle Income Group Housing Scheme on the recommendations of the Ministry of Works, Housing and Supply. The Punjab Government had asked the L.I.C. for a sum of Rs. 45 lacs to be disbursed as loans under the Scheme for the construction of houses at Chandigarh, in addition to Rs. 35 lacs requested from the Ministry under the same Scheme. Having regard to relevant factors, such as the demands received from the other States and the quantum of funds available, a sum of Rs. 35·15 lacs has been allocated by the Ministry to the Punjab Government so far, for the implementation of the Scheme in the State during the current year. The State Government will decide how much out of the money so allocated should be disbursed as loans for the construction of houses at Chandigarh.

Transfer of Plots in Delhi

1048. Shri Khimji: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether the terms of lease of plots in Diplomatic Enclave, Jor

Bagh, Golf Links, and Defence Colony prohibit transfer of plots to others; and

(b) if so, whether Government's attention has been drawn to the fact that a large number of plots have been transferred in these colonies?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) No, Sir.

(b) Plots can be transferred from one party to another with the prior sanction of the Lessor *i.e.*, Government.

Tea Export to Chile

1049. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the Indian Embassy in Chile has urged that tea exporters from India and the Indian Tea Board must allot a certain amount of funds for their respective agents in that country exclusively for commercial publicity, in their joint effort for boosting tea exports to that country; and

(b) if so, the action taken in the matter?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir.

(b) Chile is a market for cheaper teas and scope for any special efforts for publicising Indian teas in that country is limited. No specific amount has been set apart for this purpose.

Production of Tea

1050. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether tea production in India this year is estimated to be higher than the previous year's production;

(b) if so, what is the estimated production this year;

(c) how much of it is estimated to be exported;

(d) whether for realising the export estimates referred to in part (c) above Government have been considering abolition of duty on tea exports; and

(e) if so, what is the decision thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). Tea production in India upto September, 1961 is estimated at 550·6 m. lbs. as compared with 487·3 m. lbs. of the corresponding period in the last year. Based on the present trend of production, total production during 1961 may reach 760·0 m. lbs. as against 706·4 m. lbs. in 1960.

(c) Judging from the present trend of exports, it is expected that the total exports during 1961 will be about 475·0 m. lbs.

(d) and (e). The tax structure of tea industry is reviewed from time to time and public announcements made whenever necessary.

Seminar on Code of Discipline

1051. Shri P. C. Borooah: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether a seminar on the Code of Discipline in Industry was organised by the employers' association in September, 1961;

(b) if so, what main observations and recommendations were made at the Seminar; and

(c) what decisions if any, Government have taken to modify the code, in the light of these recommendations?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes, jointly by All India Organisation of Industrial Employers and Employers' Federation of India.

(b) (1) Speedy verification of membership of the unions for purposes of

recognition under the Code of Discipline should be available in all States.

(2) Managements should have the right to suspend or withhold recognition of unions pending consideration by the Implementation Machinery of breaches committed by them.

(3) Convention should be set up that where agreements concerning the general terms of employment are entered into between recognised unions and the employer these should not be disturbed by unrecognised unions.

(4) There should be immediate and on-the-spot enquiries into breaches of the Code.

(5) In no case should the Implementation Committee deal with matters which normally come under the purview of the industrial relations machinery of Government or those involving interpretation of law. Implementation Machinery should not also take upon itself the work entrusted to authorities prescribed under various labour laws.

(c) No modification of the Code is called for.

Conference of Asian Planners

1052. **Shri P. C. Borooah:**
Shri N. R. Muniswamy:
Pandit D. N. Tiwari:
Shri Kodiyan:

Will the Minister of **Planning** be pleased to state:

(a) whether an ECAFE sponsored conference of Asian Planners was held in New Delhi in September this year;

(b) if so, what were the main subjects discussed therein; and

(c) what were the main observations and recommendations made at the conference?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Yes, Sir.

(b) and (c). Copies of the Agenda and of the Draft Report of the Technical Committee appointed by the Conference of Asian Economic Planners are laid on the Table of the House. [Placed in Library, *See* No. LT-3385 61].

Atomic Power Station near Tarapur

1053. **Shri Damani:**
Shri D. C. Sharma:

Will the **Prime Minister** be pleased to refer to the reply given to Unstarred Question No. 36 on the 7th August, 1961 and state the countries where from tenders were received for the setting up of the first Atomic Power Station to be located at Tarapur near Bombay and whether a decision has been taken in regard thereto?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): In response to the global enquiry for the construction of an atomic power station near Tarapur, seven tenders have been received from four countries, namely, Canada, France, United Kingdom and the United States of America. The tenders are still under scrutiny and no decision has yet been taken.

Janpath Hotel, New Delhi

1054. Shri D. C. Sharma Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether Government have considered the question of high operating expenses of Janpath Hotel;

(b) if so, the result thereof; and

(c) the steps taken for the reduction of expenses?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). No.

(c) The question does not arise.

Claims of Displaced Persons

1055. Shri D. C. Sharma: Will the Minister of **Rehabilitation** be pleased to state:

(a) how many claims of the displaced claimants from West Pakistan

remain to be finalised on 1st of December, 1961;

(b) how long it will take to finalise them; and

(c) whether this work will be completed before the Ministry is wound up?

The Minister of Rehabilitation (Shri Mehr Chand Khanna): (a) Out of about 5.3 lakhs verified claims including Rehabilitation Grant-applications, only about 6000 cases were pending disposal on 1-10-1961.

(b) Within the next few months.

(c) No date has yet been fixed for the winding up of the Ministry.

Import and Export Policy

1056. **Shri Aurobindo Ghosal:**
Shri P. C. Borooah:
Shri Damani:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Ramaswamy Mudaliar Committee set up to evolve the new import and export policy has submitted any report;

(b) if so, what are their recommendations; and

(c) if reply to part (a) is in the negative, when the report is likely to be submitted?

The Minister of Commerce (Shri Kanungo): (a) Not yet, Sir.

(b) Does not arise.

(c) The report is likely to be submitted shortly.

Cotton Spinning Mills in Raichur District, Mysore State

1057. Shri Agadi: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that an application for a licence for starting a Co-operative Cotton Spinning Mill in Raichur District, Mysore State, has been forwarded with the recommendation of the State Government;

(b) if so, whether any decision has been taken in the matter; and

(c) if not, when the decision will be taken?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) and (c). Decision will be taken shortly.

Exhibition at Seattle in U.S.A.

1058. Shri Pahadia: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government of India have decided to participate in the Exhibition "Century 21 Exposition" to be held at Seattle in the United States next year; and

(b) if so, the details of the exhibits to be included in the fair?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir.

(b) A list of important categories of goods proposed to be displayed is given below:

1. *Raw materials, minerals, mineral products, vegetables oils etc. such as:—*

   Mineral ores, Mica, Shellac, Essential Oils, Hides and Skins, Raw and Waste Cotton and Oil seeds, Myrobalan etc.

2. *Machinery and Engineering goods:*

   (i) Telephones and Telephone Equipment.

   (ii) Electrical & Engineering Measuring instruments.

3. *Drinks, Food stuffs, and other Comestibles, Tobacco manufacturers such as:—*

   Tea, Coffee, Cashewnuts, Pepper and other spices, Tinned food.

Canned fruits and Fruit juices, Cigars, Cigarettes, Cheroots, Sugar, Hydrogenated oils etc.

4. *Textiles.*

Mill-made and Handloom including, Cotton textiles, Silk and Rayon textiles, Woollen textiles, and Khadi.

5. *Handicrafts.*

6. *Miscellaneous products such as:*—
Coir and Coir products, Jute and Jute products, Leather and footwear, Sports goods, plastic and Linoleum products, Musical instruments, Carpets, Chemicals and pharmaceuticals, Cosmetics and Perfumery.

7. *Tourism and Trade Intelligence:*

Books and Publications, Models, Charts and graphs, Photographs, Paintings and Sculpture.

Accident in Delhi Cloth Mills Chemical Works, Delhi

1059. Shri Kunhan: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the findings of the magisterial enquiry into the accident in the Delhi Cloth Mills Chemical Works, Delhi have been received by Government;

(b) if so, the details thereof; and

(c) the decision taken thereon?

The Deputy Minister of Labour (Shri Abid Ali): (a) No. The enquiry has not yet been finalised.

(b) and (c). Do not arise.

Employees' State Insurance Scheme

1060. Shri Kodiyan: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether any scheme has been prepared to establish more hospitals under the Employees' State Insurance Scheme during the Third Five Year Plan;

(b) if so, the main details of the scheme; and

(c) the estimated cost thereof?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) Yes.

(b) Provision of about 6,000 beds in thirty two separate Employees' State Insurance Hospitals and twenty five annexes in existing hospitals.

(c) About Rs. 12 crores.

Raw Film Factory

1061. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the work on the scheme for the establishment of a raw film factory at Ootacamund in public sector has been taken in hand; and

(b) if so, what steps have been taken for the establishment of factory?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). As stated in reply to Unstarred Question No. 1633 on 19-8-1961, a Government owned Co. by the name of Hindustan Photo Films Manufacuring Co. Ltd. has been registered to implement the project.

The levelling of the site for the factory has been completed and steps for the construction of production buildings and access roads, etc., are being taken. Messrs. Bauchet of France who are collaborating in this project are arranging to supply such of those imported items which form part of their responsibility. Quotations for other plant and equipments have been called for. A testing laboratory is being set up to standardise the products and materials before commercial production is undertaken and the same is expected to function by December, 1961.

A team of sixteen technical officers has been deputed in September 1961 to the works of M s. Bauchet & Cie. France for practical training for pe-

riods varying from six months to eleven months and a few more are due to leave shortly.

European Common Market

1062. Shri P. C. Borooah: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that Sweden proposes to enter the European Common Market;

(b) if so, how will it affect India's exports to that country; and

(c) what items are usually exported from India to that country?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Government of India have no knowledge of such a proposal.

(b) Does not arise at this stage.

(c) A statement showing India's exports to Sweden during the last four years is laid on the Table of the House. [*See* Appendix II, annexure No. 27].

Trade Team from Indonesia

1063. Shri P. C. Borooah:
Shri P. G. Deb:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether an Indonesian Trade Team visited India in the beginning of November this year; and

(b) if so, what was the result of the talks with that Team?

The Minister of Commerce (Shri Kanungo): (a) and (b). A Fact-fiinding Mission from Indonesia visited India from 9th to 26th November, 1961, with a view to obtaining first-hand knowledge of India's Industrial and Commercial possibilities. The Mission visited various industrial and commercial centres and had discussions with the Ministries of the Government of India. These visits and discussion fulfilled the purpose the Mission had in view.

Import of Taxi Meters

1064. Shri Agadi: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the number of taxi meters imported, country-wise, during 1959-60, 1960-61 and 1961-62 so far;

(b) the landed cost per meter including customs duty, if any, and through whom these meters are imported and distributed;

(c) whether there is any control on price and distribution of the meters;

(d) if so, the control prices and the system of distribution in detail;

(e) whether it has come to the notice of Government that the imported matters are sent underground by the importers for black-marketing the same; and

(f) if so, what action has been taken in the matter?

The Minister of Commerce (Shri Kanungo): (a) and (b). A statement showing the number and value of taxi meters imported country-wise during 1959-60 to 1961-62 (upto July '61) is laid on the Table of the House. [*See* Appendix II, annexure No. 28]. No information regarding the landed cost per taxi meter is readily available. Particulars regarding importers and distributors of taxi meters are also not available as the item is not separately classified under I.T.C. Schedule.

(c) and (f). There is no control on the price and distribution of taxi meters. A complaint was, however, received about the prices charged by certain firms and this is being looked into.

House Building in Shrinivaspuri and Pinjarapole in Delhi

1065. Shri Balraj Madhok: Will the Minster of **Works, Housing and Supply** be pleased to state:

(a) how long it has taken to complete the plans of house building in

the colonies of Shrinivaspuri and Pinjarapole in Delhi;

(b) when the final payments to contractors were made;

(c) when the allotments of the quarters were made; and

(d) when the electricity connections were provided after allotment?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) to (d). A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 29].

Mohammadpur-Munerka Colony

1066. Shri Balraj Madhok: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) how long it has been that the payments to the contractors were made on account of construction of Mohammadpur-Munerka Colony;

(b) how long it has been that the final construction phases were completed;

(c) how much expenditure had been incurred for repairs after construction for Mohammadpur-Munerka Colony; and

(d) how long it will still take to make the allotments of this Colony?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). None of the quarters in Ramakrishna Puram is yet complete in all respects; work on construction or the provision of internal services still continues. Final payment was made to the building contractor on the 19th May, 1961 only in respect of one batch of 196 quarters.

(c) No expenditure has been incurred on repairs.

(d) The quarters can be occupied only when the colony has been provided with the essential civic services like filtered water, outfall sewer and electricity. Work on the provision of these services is proceeding and the Municipal Corporation of Delhi expect to complete this work by about the end of the year. Allotment of the quarters will commence soon after that.

Allottees of Upper Storeys in Lajpat Nagar, New Delhi

1067. Shri Balraj Madhok: Will the Minister of **Rehabilitation** be pleased to state:

(a) whether it is a fact that the allottees of upper storeys in double storey quarters in Lajpat Nagar and elsewhere are also being charged the price of the land at the same rate at which the allottees of ground floor are being charged; and

(b) if so, the reasons therefor?

The Minister of Rehabilitation (Shri Mehr Chand Khanna): (a) and (b). The number of double storeyed tenements built in Lajpatnagar and other areas in Delhi is very large. If information is required about any particular tenement or a block, it shall be supplied.

'C' Type Quarters in Lajpat Nagar, New Delhi

1068. Shri Balraj Madhok: Will the Minister of **Rehabilitation** be pleased to state:

(a) whether it is a fact that the price of land is being charged at the rate of Rs. 22½ per sq. yard from the allottees of old double storey C. Type quarters in Lajpat Nagar while Rs. 18, 13½ and 15 per sq. yard are being charged for land under the Second Neighbourhood cottage type quarter, cheap tenements and Amar Colony plots respectively;

(b) whether it is also a fact that market value of the land in Second neighbourhood is much higher than in the Double storey colony; and

(c) if so, the reasons for charging higher rates in Lajpat Nagar?

The Minister of Rehabilitation (Shri Mehr Chand Khanna): (a) to (c). The

number of double storey 'C' type quarters at Lajpatnagar is quite large. They were built at different times and at varying cost. If information is required about any particular tenement or block it can be supplied.

Quarters in Lajpat Nagar-II, New Delhi

1069. Shri Balraj Madhok: Will the Minister of **Rehabilitation** be pleased to state:

(a) whether it is a fact that Rs. 5,000 and more are being demanded for two room tenements in Lajpat Nagar II even though the allottees were given clear understanding that they will be charged Rs. 4,000 for each quarter;

(b) whether it is also a fact that widely different prices much above the Rs. 4,000 limit are being demanded for the same type of quarters in the same locality; and

(c) if so, the reasons therefor?

The Minister of Rehabilitation (Shri Mehr Chand Khanna): (a) to (c). The number of two roomed tenements built at Lajpatnagar is quite large. They were built at different times and at varying cost. If information is required about any particular tenement or block it can be supplied.

Displaced Persons Colonies in New Delhi

1070. Shri Balraj Madhok: Will the Minister of **Rehabilitation** be pleased to state:

(a) what was the price per square yard paid by the Ministry of Rehabilitation for the lands acquired for the displaced persons colonies of Rajendar Nagar, New Rajindar Nagar, Lajpat Nagar, Patel Nagar, Nizamuddin East and West respectively;

(b) what was the development cost per sq. yard in these different colonies; and

(c) what price per sq. yard is being charged from the displaced allottees of quarters in these colonies?

The Minister of Rehabilitation (Shri Mehr Chand Khanna): (a) to (c). The acquisition and development cost of land in different colonies varies considerably and also differs from block to block in each colony. If information is required for any particular block, it can be supplied.

नकली मोती और हीरे

१०७१. **श्री रघुनाथ सिंह :** क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि क्या सिक्किम में किसी भारतीय फर्म के सहयोग से कृत्रिम मोती और हीरे बनाने का कारखाना खोलने की योजना कार्यान्वित की जा रही है?

प्रधान मंत्री तथा वैदेशिक कार्य मंत्री (श्री जवाहरलाल नेहरू) : २४ अक्तूबर १९६१ को महाराज सिक्किम ने, उद्घोषणा संख्या २ के जरिए, यह घोषित किया कि सिक्किम सरकार ने सिक्किम इंडस्ट्रियल कार्पोरेशन लिमिटड के साथ एक करार पर हस्ताक्षर किये हैं, जिस के अन्तर्गत यह कार्पोरेशन औद्योगिक कार्यों के लिये नकली 'जेवेल' और 'जेवेल बेयरिंग' बनाने पर सहमत हुआ है। इस कार्पोरेशन की स्थापना कामराज ग्रुप कर रहा है।

गुलमर्ग दर्रे के निकट एक गांव पर पाकिस्तानियों द्वारा आक्रमण

१०७२. **श्री रघुनाथ सिंह :** क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अक्तूबर, १९६१ के अंतिम सप्ताह में पाकिस्तानियों के एक सशस्त्र दल ने गुलमर्ग दर्रे के क्षेत्र में युद्ध-विराम रेखा के पास स्थित एक ग्राम पर आक्रमण कर लूटमार की; और

(ख) यदि हां, तो इस घटना का ब्यौरा क्या है ?

प्रधान मंत्री तथा वैदेशिक कार्य मंत्री (श्री जवाहरलाल नेहरू): (क) और (ख), जी हां। २६ अक्तूबर १९६१ को पाकिस्तान/पाकिस्तान-अधिकृत कश्मीर के एक सशस्त्र कबाइली दल ने युद्ध-विराम रेखा की हमारी दिशा में, गुलमर्ग के लगभग १२ मील दक्षिण

को ओर, हमारे गश्तोदल पर गोलियां चलाई। आत्मरक्षा के लिए हमारे गश्तोदल ने भी गोली चलाई । एक आक्रमणकारी की मृत्यु हुई और एक घायल हुआ । शव को पुलिस के हवाले कर दिया गया । घायल व्यक्ति सहित शेष आक्रमणकारी भाग निकले ।

Council for Glass and Ceramics

1073. Shri Kalika Singh: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the functions and powers of the Council for Glass and Ceramics in India;

(b) the overall position of glass and ceramics as compared to the development reached in some of the important countries engaged in manufacture of glass and ceramics;

(c) the extent to which development of glass and ceramics is likely to be achieved in the Third Five Year Plan; and

(d) the important centres of glass and ceramics in India with their capacity of production?

The Minister of Industry (Shri Manubhai Shah): (a) A Development Council was established on the 26th October, 1961 for the Scheduled Industries engaged in the manufacture or production of Glass and Ceramics. All the functions enumerated in the Second Schedule to the Industries (Development and Regulation) Act, 1951 have been assigned to the Council. The Development Council for Glass and Ceramics like all other Development Councils is only an advisory body set up to advise the Government on the development and regulation of the industry.

(b) The indigenous Glass and Ceramics industry has made tremendous progress in the last decade. Except for very specialised types like vitrified sanitaryware, translucent tableware and electrocast refractories, ophthalmic glass, heat resisting tableware etc., practically all other items *are manufactured in India. It is expected* that by the end of the Third Plan period almost all items of Glass and Ceramics would be indigenously produced.

(c) With the implementation of the already approved schemes or those which are under consideration, it is hoped that the country will not only be self-sufficient in most of the items of Glass and Ceramics by the end of the Third Plan period but also be in position to contribute substantially towards earning of foreign exchange by way of exports to the neighbouring produced.

(d) A statement indicating the States where Glass and Ceramics industry in flourishing with their capacity and production is attached. [*See* Appendix II, annexure No. 30].

"Guarantee Organisation" of Reserve Bank of India

1074. Shri Kalika Singh: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the working of the 'Guarantee Organisation' of the Reserve Bank of India;

(b) the districts covered so far by the Guarantee Scheme;

(c) whether credit institutions receiving advances from the Reserve Bank are all established institutions of repute;

(d) method of scrutiny of the applications for guarantee and the criteria for extending guarantees in specific cases;

(e) whether affidavits of credit institutions as regards the applicants being small-scale industrial units are considered sufficient proofs for extending guarantees;

(f) if so, whether it has come to the notice of the Reserve Bank that affidavits are in some cases false; and

(g) how the Guarantee Organisation helps backward industrial areas under the scheme?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A note giving the information is laid on the Table of the House. [*See* Appendix II, annexure No. 31].

(c) The credit institutions do not receive advances from the Reserve Bank of India under this scheme. The institutions specified for the grant of facilities under the scheme are all established institutions of repute.

(d) A special cell in the Reserve Bank of India, Bombay, scrutinises the applications received under the guarantee scheme. Following are some of the important criteria for extending the guarantees in specific cases:—

(i) The applicant industrial unit must be a "Small Scale Industrial Unit" as defined in the scheme *i.e.* the unit's investment of a capital nature, including the value of rented premises, if any, but excluding the amounts spent on housing and amenities for workers should not be in excess of five lakhs of rupees;

(ii) The principal place of manufacture, processing or other operation of the unit should be located in the district or districts specified under the scheme;

(iii) The application of the unit concerned should be sponsored by a Credit Institution specified by Government under the scheme or by any other credit institution jointly with the Credit Institution so specified;

(iv) The advance, in respect of which the guarantee is claimed, shall have been sanctioned on or after the 1st July, 1960 for the purpose of enabling the industrial unit to acquire fixed assets or equipment or for providing working capital. If however, an advance has been sanctioned before 1st July, 1960, any normal or *bona fide* renewal or enhancement of the advance after that date, if the record of advance is good, such renewal etc. will also be eligible for a guarantee under the scheme;

(v) At the time of the application for a guarantee, the advance or expenditure incurred by the Guarantee Organisation under any earlier guarantee in respect of that unit should have been fully recovered.

(e) and (f). The credit institutions are not required to submit affidavits. They are only required to certify that the applicant unit is a small industrial unit. The details mentioned in the application including the statement of accounts of the unit concerned as well as its latest balance sheet, are carefully examined before extending the guarantee. No case of false declaration has come to the notice of the Government.

(g) The Credit Guarantee Scheme has not been extended to backward industrial areas so far.

Newsprint

1075. Pandit J. P. Jyotishi: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the quantity of newsprint imported during the past two years and the amount spent on the same;

(b) the total quantity consumed during the two years and the amount spent on the same;

(c) the quantity of newsprint indigenously produced during the two years and the contribution of the Nepa Mills towards the same; and

(d) the steps Government are taking to meet the deficiency?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The quantity imported and their value are shown below. The entire quantity imported is taken to have been consumed and there is no separate information available on this point:

Quantity (in tons)	*Value (in '000' of Rs.)*
1959-60	83,308	65,547
1960-61	73,363	59,464

(c) The entire indigenous production is that of the Nepa Mills and the production of these Mills during the past two years is given below:

1959-60	..	22,411 Tons
1960-61	..	23,029 "

(d) The gap between the demand and indigenous production is met by imports.

To make the country self-sufficient three new units have been licensed to produce 1.8 lakh tons of newsprint per annum. This is in addition to the capacity of 30,000 tons per annum licensed to Nepa Mills, which is already in production.

Quarters in Kasturba Nagar

1076. Shri Balraj Madhok: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that Class IV employees living in first floor of quarters built in Kasturba Nagar cannot make use of the roof for sleeping, etc. in summer for want of staircases and that they have since long been demanding that staircases should be provided in their quarters;

(b) what steps Government have taken to meet this very genuine demand; and

(c) if not, why not?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes; in 1528 quarters.

(b) and (c). As earlier explained in the reply given to Unstarred Question No. 1684 in the Lok Sabha on the 26th March, 1958, it is not possible to provide staircases in these quarters as the roof are not strong enough to take any superimposed load.

Reorganisation of Coffee Board

1077. Shri Balraj Madhok: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Coffee Board has prepared any plan for re-organisation of its activities;

(b) if so, what are the details thereof;

(c) whether the employees of the Coffeee Board have been consulted while drawing up the plan for reorganisation; and

(d) whether it is a fact that the planned re-organisation will lead to retrenchment of a large number of employees of the Coffee Board;

(e) whether the employees of the Coffee Board have made any representation against the proposed reorganisation; and

(f) if so, what action has been taken thereon?

The Minister of Commerce (Shri Kanungo): (a) to (f). Following Government's acceptance of one of the recommendations of the Expert Committee on Marketing about the merger of the Marketing and Propaganda Departments of the Coffee Board, the Board constituted a Reorganization Sub-Committee to look into the working of the two Departments. This Sub-Committee has submitted its report on the Marketing Department, and their report on the Propaganda Department is awaited. The recommendations of the Sub-Committee will be referred to an expert committee for suggesting measures for implementing them. Thus, it is too premature at this stage to say whether any retrenchment will have to be effected and, if so, to what extent. The Indian Coffee Board Employees' Association, which had represented on the apprehended retrenchment, have been apprised of the position as stated above.

Small Scale Industries in Punjab

1078. Shri Hem Raj: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the amount given to Punjab Government for the development of

seri-culture, cottage, and small scale industries during the years 1956 to 1960;

(b) the amount that was earmarked for the same purpose for their development in the Punjab Hill areas during these years out of the said amount; and

(c) the amount that is proposed to be given for their development during the Third Five Year Plan and how much out of it will be earmarked for Punjab Hills?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). The material is being collected and it will be placed on the Table of the House

National Awards for Safety in Industries

1079. **Shri P. G. Deb:** Will the Minister of **Labour and Employment** be pleased to state:

(a) the conditions for the national awards to be given for ensuring safety in industries; and

(b) to which industries this will apply in the first instance?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). A draft scheme for National Safety Awards is under the consideration of the Government; details have not been finalized.

Export of Onions and Dried Fish to Ceylon

1080. **Shri Tangamani:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government of Ceylon have recently restricted the import of onions and dried fish from India;

(b) if so, from which date; and

(c) whether this has affected the export of these articles to Ceylon?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (c). The Government of Ceylon fixed the prices of onions by their Notification dated 2nd March, 1961. This, however, has had no perceptible effect so far on exports of onions from India. The Government of Ceylon also fixed maximum wholesale prices for different varieties of dried fish by their Notification dated 6th April, 1961. These prices were found to be unduly low by Indian exporters and exports of dried fish have been adversely affected. Imports of dried fish into Ceylon have been canalised through Cooperative Wholesale Establishments.

Wage Boards for Plantation Industry

1081. **Shri Tangamani:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the Wage Boards for Plantations have submitted an interim report for interim relief;

(b) if not, by what time is the interim and final report expected;

(c) whether it is a fact that bonus agreement was reached with U.P.A.S.I. in the South; and

(d) if so, the details thereof?

The Deputy Minister of Labour (Shri Abid Ali): (a) No.

(b) Not possible to indicate the time likely to be taken by the Boards.

(c) and (d). Information is not available as the matter falls in the state sphere.

12.04 hrs.

MOTION FOR ADJOURNMENT

ALLEGED POLICE EXCESSES AT NIPANI

Mr. Speaker: I have received notice of an adjournment motion from Shri Nath Pai and Shri Goray. Normally, this is a matter of law and order. Anyhow, it refers to a four-man Commission appointed by the Union Government. It reads thus:

> "The police excesses at Nipani on November 27, 1961, when the four-man Commission appointed by the Union Government visited Nipani to report on the boundary dispute between Mysore and Maharashtra, wounding more than fifty people along with the Chairman of the Nipani Municipality and the President of the Merchants' Chamber".

What is the position?

Shri Nath Pai (Rajapur): I quite agree that normally such a subject does not come within the purview of this House. I have received a representation from an MLC who belongs to the Congress Party, Shri Dev Chandra Shah. They say in their telegram:

> "Urgently request judicial inquiry into misbehaviour and police excesses. Deliberate unprovoked lathi charges on citizens including the Chairman of the Municipal Council. Not less than 50 persons were injured who had assembled to accord cordial reception to the Government of India Commission and to make representations to them . .

Mr. Speaker: Who sent the telegram?

Shri Nath Pai: This telegrah has been sent by an MLC of the Congress Party, Shri D. C. Shah. I have sheafs of papers with me. These are mostly from Congress-owned, directed or controlled dailies. There are two from the *Times of India.*

May I say that the Commission has been appointed by the Government of India to report on this unresolved dispute? Here they go to bear the people. But there is the police lathi charge on those who come to submit their claims and have their say.

Mr. Speaker: Has any member of the Commission sent a telegram or any such thing?

Shri Nath Pai: No, not yet. We may get it.

May I say that this is very regrettable? This is particularly so because right now we are threatened on every side. We cannot have such internal disputes among ourselves. Our efforts should be to see that there is no bitterness. Only a few miles from Nipani, the Portuguese are persecuting people and committing atrocities. The police excesses justify Mr. Justice Mulla's description of them. My submission is on the admissibility of the motion.

Mr. Speaker: If really, when the four-man Commission has been going there to conduct its inquiry, people are prevented from making representations or having their say, I would certainly take it up as a matter about which this House is entitled to find out. He need not elaborate on that.

Shri Nath Pai: There is one point. Inter-state disputes are entirely the responsibility of the Union Government.

Mr. Speaker: Who denies it?

Shri Nath Pai: This also arises out of maintenance of integration. The Police are interferring with it.

Mr. Speaker: The hon. Member has not heard me.

I take it that the Commission appointed by the Union Government has gone there to settle the inter-State dispute. All people who want

to make representations should be allowed free access, subject to regulations, order and other things by the police in order to avoid clashes between one party and the other. To that extent, they are entitled to maintain order. But otherwise, free access must be given to people to make their representations. That is admitted. I am not rejecting it on the ground of want of urgency or want of seriousness. I wanted to hear the hon. Minister.

The Minister of State in the Ministry of Home Affairs (Shri Datar): The Government of India have no information in this case. In fact, from the papers it becomes clear that the hon. Home Minister of the Mysore Government made a detailed statement on this very question in the Mysore Legislature only three or four days ago. Then I would also like to point out that so far as the Committee is concerned, it was appointed by an agreement between the two Governments, of Maharashtra and Mysore. That is the present position.

Shri Nath Pai: Such incidents have been occurring very often. They cause bitterness between two States. It is our responsibility to see that such bitterness is not caused and they do not quarrel among themselves. I know how the police behave. Last year, I had personal experience of that. But I do not go into that. I only say that till this festering wound is healed, the Government of India should send some observers who will be taking note of any complaints from either side as regards excesses. They should be there till this dispute is finally resolved. They will be watching the development of events there.

Shri Datar: This is not the proper time for making any suggestion. So far as the four-man Committee is concerned, it is seized of this affair. It is carrying on its work. Under these circumstances, I do not know how the Government of India would come into the picture. This is a law and order matter. The position has been clarified by the Home Minister there.

Shri Nath Pai: They cannot carry on their work when people are not allowed to meet them (*Interruptions*).

Some Hon. Members *rose*—

Mr. Speaker: I will not allow more than one hon. Member to get up at a time.

The four-man Committee consists of two from each side. Two are appointed on the suggestion of the Mysore Government and two on that of the Maharashtra Government. We will assume that this law and order situation is in the hands of the Mysore Government for the present, until the matter is decided. The other two, that is, the representatives of the Maharashfrā Government, are not a party to the improper conduct of the Mysore Government on account of their one-sidedness, as alleged by Shri Nath Pai, preventing people from seeing the Committee and closing their eyes to this. What do these two members do?

Shri Goray (Poona): Only the Mysore delegates were on tour. The Maharashtrian delegates were not there at all.

Shri Nath Pai: It is therefore I said that the Government of India must intervene, because the committee could not even undertake a common tour.

Mr. Speaker: Why?

Shri Nath Pai: That is so.

Mr. Speaker: That is a different matter altogether.

Shri Nath Pai: First, the Maharashtra side went. Now the Kannada side is touring it. When these things go on, is it not the Government of India's responsibility to see that matters do not develop like this, at least that matters do not deteriorate by

[Shri Nath Pai]

this kind of incidents? Therefore, there should be some people to go there and investigate into this, whether these excesses are really being perpetrated.

Shri Shankaraiya (Mysore): Both the Mysore Members and the Maharashtrian Members of this four-man committee, including Shri Pataskar, who is the Chairman, have been touring for the last six months or one year. There are touring as a body, as a committee. Sometimes the Maharashtrian Members have toured by themselves, and the Mysore Members have toured by themselves, and they have received memoranda etc. Till now there has not been any trouble. Even here, in this particular incident there was not much disturbance or any such thing. They are deliberately carrying on propaganda by exaggerating it, and giving all sorts of rumours before the elections.

Shri Khadilkar (Ahmednagar): What my hon. friend said is not the truth, or the whole truth. The truth is that when Shri Pataskar tried to persuade the representatives from Mysore State on the committee to undertake a joint tour of the border, they declined to join. So, Shri Pataskar and Shri Bhatt, the two representatives of Maharashtra State, went round. Their cars were stoned.

Mr. Speaker: We are not going into all those matters.

Shri Khadilkar: Just a minute, Sir. I want to make it clear because the hon. Home Minister, unfortunately, is not giving all the facts, and when we are very much seized of national integration, these things must be taken very seriously.

Later on, two representatives of the Mysore Government have been touring the border area, and it is the right of the minority for the time being of the Marathi-speaking people to make representations. If they are prevented, it is a serious matter.

Shri M. Rampure (Gulbarga): My hon. friend, Shri Khadilkar, made a reference to the stoning of the car of the Maharashtra Members of the Committee when they were touring the border area. I was touring with them. The information that has been provided to my hon. friend is not correct. Nowhere were they stoned. I was there with them. I was touring on the border, because it is my constituency.

Shri Goray: Shri Pataskar has made a statement. He is a responsible person.

Shri Mahagaonkar (Kolhapur): I have got proof to show police atrocities. (*Interruptions*).

Mr. Speaker: Order, order.

Shri Goray: The complaints are from the Congress side.

Shri T. B. Vittal Rao (Khammam): Why don't you appoint a boundary commission and finish with it?

Mr. Speaker: I am really sorry that in this House also there seems to be a border dispute. I do not want hon. Members to lose their patience over this matter. Enough has been said.

All that I can submit is that, so far as this matter is concerned, of course it is a serious matter. When a joint committee is appointed with the consent and on the recommendation of both the States, the Union Government is interested in seeing that this matter is settled as amicably as possible. All opportunities must be allowed.

Shri Datar: May I make a slight correction, that the committee was appointed by the two States themselves, not by the Government of India?

Shri Manay (Bombay City Central —Reserved—Sch. Castes): How can the two States appoint a commission?

Shri Nath Pai: Earlier, there were efforts, during the time of the late

Pandit Gobind Ballabh Pant, to solve the dispute by mutual consultation. When these efforts failed, it was by the Union Government—we have it on the authority of the Prime Minister whom we had approached—that the committee was appointed. The two representatives are nominated by the two States at the instance of the Union Government.

Shri Datar: It was the good offices of the former Home Minister that had this committee appointed through the State Governments, not the Government of India.

Shri D. A. Katti (Chikodi): How can it be? It is a border dispute.

Shri Achar (Mangalore): There is no complaint by the members of the committee. Complaints, of course, we hear from the other people, but not from a single member of the committee.

Shri Yadav Narayan Jadhav (Malegaon): Shri Pataskar has issued a statement.

Mr. Speaker: I have heard sufficiently. In answer to what Shri Achar has said, I may point out that I put the question: when it concerns the representatives of both the States how does it happen then that the representative of Maharashtra has not complained? In answer I was informed that the two Members were not present,.....

Shri Goray: I take the responsibility for it.

Mr. Speaker:.....and that only members from Mysore State went there. And it is alleged that the police or some others prevented them from having access to these members. This matter was brought up in the Mysore legislature and an answer seems to have been given that no such obstruction had been caused.

Whether the Central Government directly appointed these four members or whether they used only the good offices of the former Home Minister, I would only advise that even if we send observers from here, they would not be observers outside, but observers who tour along with the members of the committee. So why not they go and decide it as members of the committee itself? Therefore, I am not accepting it. A stranger may not be able to do as much as those who are interested.

I would only advise that instead of coming to this House from time to time, all the four members should go together wherever they go, in which case we will have a definite version from the other side also. They will be interested. Nobody could be browbeaten. Instead of coming to this House after the incidents, they will do well, having accepted the job, not to divide themselves into groups. At any rate, if only two can go, there be one from Mysore and one from Maharashtra, so that we may have both the sides represented.

I do not find it necessary to give my consent to this adjournment motion.

Shri Manay: Before you dispose of the point.....

Mr. Speaker: I have disposed of it.

Shri Manay:....we want to know whether it is a fact that the four-man committee has been appointed by the Government of India, or, as the hon. Minister has said, by the two States.

Mr. Speaker: Already enough has been said.

Shri Punnoose (Ambalapuzha): I have given notice of an adjournment motion, and you have given me the answer. It is a very important matter in which the Planning Commission has a direct voice, and they have a role to play. If an agrarian law is passed....

Mr. Speaker: I have held that adjournment motions which I have refused should not be brought up here. If he wants, he can tell me and

[Mr. Speaker]

I will call it on Monday. Let me be satisfied. I will certainly call it on Monday if I am satisfied.

12·16 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

PROVISION OF A SPECIAL TRAIN TO HINDUSTAN MOTORS

Shri Tangamani (Madurai): I beg to call the attention of the Minister of Railways to the Eastern Railway having provided a special train to Hindustan Motors from Howrah to Hind Motor Halt to take people for breaking the strike at their workshop.

The Deputy Minister of Railways (Shri Shahnawaz Khan): Sir, on 17.11.61 an application was received from the Hindustan Motors to run a special train for 600 workers from Howrah to Hind Motor Halt on Monday the 20th November, 1961. Special train was arranged after recovery of full charges and the special train was arranged to leave Howrah at 00·30 hours on 20·11-61. A second application was received from the Hind Motors on 21-11-61 to arrange a special train for 500 Workers from Howrah Station on Wednesday the 22nd November, 1961. Accordingly, after realisation of full charges the special train left Howrah at 00-30 hours on 22-11-61.

2. The Railways do not and cannot exercise any check as to who travels by the special trains arranged at the request of the parties concerned.

Shri Tangamani: Was it not brought to the notice of the Ministry that a strike involving nearly 6,000 workers at Hindustan Motors had been going on for over two months, and that this request by the management was not a *bona fide* request?

Mr. Speaker: The hon. Member is a lawyer. No common carrier may refuse, whatever may be the intention of the persons who apply.

Shri S. M. Banerjee (Kanpur): May I say a word?

Mr. Speaker: No. I do not allow questions.

12:19 hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORT OF INDIAN REFINERIES LIMITED AND REVIEW BY GOVERNMENT

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): On behalf of Shri K. D. Malaviya, I beg to lay on the Table a copy each of the following papers:

(i) Annual Report of the Indian Refineries Limited for the year 1960-61 along with the Audited Accounts and comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(ii) Review by the Government of the working of the above Company [*Placed in Library, See* No. LT-3379/61].

ANNUAL REPORT OF THE NATIONAL INDUSTRIAL DEVELOPMENT CORPORATION LTD.

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): Sir, on behalf of Shri Manubhai Shah I beg to lay on the Table a copy each of the following papers:—

(i) Annual Report of the National Industrial Development Corporation Limited for the year 1960-61 along with the Audited Accounts and comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(ii) Review by the Government of the working of the above company. [*Placed in Library*, [*See* No. LT-3380/61].

REVISION APPLICATIONS (PROCEDURE) RULES

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): Sir, on behalf of Dr. B. Gopala Reddi, I beg to lay on the Table a copy of the Revision Applications (Procedure) Rules, 1961 published in Notification No. G. S. R. 1171 dated the 23rd September, 1961, under sub-section (2) of section 28A of the Indian Boilers Act, 1923. [*Placed in Library, See* No. LT-3381/61].

NOTIFICATIONS UNDER DELHI SHOPS AND ESTABLISHMENTS ACT AND EMPLOYEES' PROVIDENT FUNDS ACT.

The Deputy Minister of Labour (Shri Abid Ali): Sir, I beg to lay on the Table a copy each of the following Notifications:—

(i) Notification No. F. 20 (6)|61-Lab. (i) published in Delhi Gazette dated the 14th September, 1961 making certain amendments to the Delhi Shops and Establishment Rules, 1954, under sub-section (3) of section 47 of the Delhi Shops and Establishments Act, 1954. [*Placed in Library, See* No. LT-3382|61].

(ii) Notification No. G. S. R. 1382 dated the 18th November, 1961 under sub-section (2) of section 4 of the Employees' Provident Funds Act, 1952 making certain amendment to Schedule I to the said Act. [*Placed in Library, See* No. LT-3383/61].

12.21 hrs.

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following messages received from the Secretary of Rajya Sabha:—

(1) 'In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that Rajya Sabha, at its sitting held on the 29th November, 1961, agreed without any amendment to the Maternity Benefit Bill, 1961, which was passed by the Lok Sabha at its sitting held on the 20th November, 1961.'

(2) 'In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 29th November, 1961 agreed without any amendment to the Coffee (Amendment) Bill, 1961, which was passed by the Lok Sabha at its sitting held on the 21st November, 1961.'

(3) 'In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 29th November, 1961, agreed without any amendment to the Apprentices Bill, 1961, which was passed by the Lok Sabha at its sitting held on the 21st November, 1961.'

(4) 'In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 29th November, 1961, agreed without any amendment to the Assam Municipal (Manipur Amendment) Bill, 1961, which was passed by the Lok Sabha at its sitting held on the 23rd November, 1961.'

(5) 'In accordance with the provsions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return

herewith the Voluntary Surrender of Salaries (Exemption from Taxation) Bill, 1961, which was passed by the Lok Sabha at its sitting held on the 21st November, 1961, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.'

(6) 'In accordance with the provisions of rule 97 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Indian Succession (Amendment) Bill, 1961, which has been passed by the Rajya Sabha at its sitting held on the 30th November, 1961.'

(7) 'In accordance with the provisions of rule 97 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Air Corporation (Amendment) Bill, 1961, which has been passed by the Rajya Sabha at its sitting held on the 30th November, 1961.'

(8) 'In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 30th November, 1961, agreed without any amendment to the Industries (Development and Regulation) Amendment Bill, 1961, which was passed by the Lok Sabha at its sitting held on the 21st November, 1961.'

BILLS PASSED BY RAJYA SABHA LAID ON THE TABLE

Secretary: Sir, I lay on the Table of the House the following Bills, as passed by Rajya Sabha:—

(1) The Indian Succession (Amendment) Bill, 1961.

(2) The Air Corporations (Amendment) Bill, 1961.

ARREST OF A MEMBER

Mr. Speaker: I have to inform the House that I have received the following telegram, dated the 1st December, 1961, from the Judicial Sub-Magistrate, Trichur:—

"Shri K. K. Warior, Member, Lok Sabha, was arrested and produced before me today, the 1st December, 1961 at 11·30 A.M. A case under sections 143, 145, 147, 341, 353 and 447 read with sections 109 and 117 of Indian Penal Code was registered against him at Trichur Cusba Police Station and he was arrested at 7·30 P.M. on 30th November, 1961. He has been remanded to custody for seven days pending investigation at the Special Sub Jail, Viyyur."

12·24 hrs.

STATEMENT *RE*: FUNCTIONS AND ACTIVITIES OF THE STATE TRADING CORPORATION OF INDIA

The Minister of Commerce (Shri Kanungo): Sir, this is a long statement. May I be permitted to lay it on the Table?

Mr. Speaker: Yes.

Shri Kanungo: Sir, I lay the statement on the Table. [*Placed in Library, See* No. LT-3386/61].

Mr. Speaker: Copies will be made available in the Notice Office; hon. Members who want them may have it from there.

12.24 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satyanarayan Sinha): With your permission, Sir, I rise to announce that Government Business in this House for the week commencing

Monday, 4th December, 1961 will consist of—

1. Discussion on the latest Chinese incursions into Indian territory to be raised by Shri Atal Bihari Vajpayee and others on Monday, the 4th December, after disposal of questions.

2. Consideration of any item of Government Business carried over from today's Order paper.

3. Consideration and passing of—

   The Indian Tariff (Amendment) Bill, 1961.

   The Iron Ore Mines Labour Welfare Cess Bill, 1961.

   The State Financial Corporations (Amendment) Bill, 1961.

   The Constitution (Eleventh Amendment) Bill, 1961, to be taken up on Tuesday the 5th December, after disposal of questions.

   The Dock Workers (Regulation of Employment) Amendment Bill, 1961.

   The Extradition Bill, 1961, as reported by the Joint Committee.

   The Delhi University (Amendment) Bill, 1961.

   The Visva Bharati (Amendment) Bill, 1961.

   The Indian Succession (Amendment) Bill, 1961, as passed by Rajya Sabha.

   The Air Corporations (Amendment) Bill, 1961, as passed by Rajya Sabha.

4. Discussion on the Resolution given notice of by Shri Nityanand Kanungo regarding seeking approval of the export duty levied on lac.

5. Discussion on the licence granted to the Kalinga Airlines to operate a scheduled air service between Bombay and Baroda to be raised by Shri Nath Pai and others on Tuesday, the 5th December, at 4 P.M.

6. Discussion on the international situation and the policy of the Government of India in relation thereto, on a motion to be moved by the Prime Minister on Thursday, the 7th December, 1961, after disposal of questions.

Shri Goray (Poona): May I make a submission, Sir? On Monday this question of Chinese aggression is going to be discussed. Today the *Times of India* has published a map in which it has been shown in great detail how the Chinese have progressed westwards since 1954. I would like to know from Government whether they would make it available for the Members of Parliament—a map in the Central Hall which would show how the Chinese have been pogressing from year to year. It is a very disturbing thing and it seems from the map which has been published in the *Times of India* today that there has been no stopping of this inexorable march of the Chinese westwards and southwards. If a map is made available it would be of very great help to us in discussing the situation.

Shri Tangamani (Madurai): The Prime Minister promised that.

Shri Goray: Sir, will you have this made available?

Mr. Speaker: When a White Paper was placed on the Table of the House, a map attached to the White Paper would immensely benefit the hon. Members, who would like to know what exactly the portions are. The hon. Minister of Parliamentary Affairs will convey this to the hon. Prime Minister.

Shri Satyanarayan Sinha: I will do so, Sir.

Shri T. B. Vittal Rao (Khammam): The hon. Minister of Parliamentary

[Shri T. B. Vittal Rao]

Affairs has said that about a dozen Bills have to be taken up next week. Can we complete them next week?

Shri Satyanarayan Sinha: The Business Advisory Committee is meeting today for the allotment of time. We will decide there. According to priority, whichever Bills we are not in a position to put through next week will naturally be dropped.

Shri T. B. Vittal Rao: May I request the hon. Minister to put the Iron Ore Mines Labour Welfare Cess Bill on top priority.

Mr. Speaker: He can raise it there in the committee. In future I propose to issue a statement of order of priorities, a statement in two parts, for the benefit of hon. Members, one part relating to questions and papers laid on the Table and other such auxiliary matters and another with respect to Bills, giving their priority for a whole week. As soon as the hon. Minister of Parliamentary Affairs places the work for the week before the House the priorities will be decided, along with the fixation of time in the Business Advisory Committee—with his assistance. Thus, the hon. Members may, a week in advance, be prepared with a particular subject when it comes up. In exceptional cases the priorities may be readjusted.

Shri Satyanarayan Sinha: So far as priority of Bills is concerned we can give it for a week; but we may not be able to discuss it in the Business Advisory Committee. I will assist you, Sir, in fixing the priorities but not in the Business Advisory Committee.

Shri T. B. Vittal Rao: The hon. Minister does not plan the business properly. Originally the Session was to end by the 15th December; then he advanced it by a week for, he said, there was no work. Now he brings forward a lot of Bills. We should plan our work properly. I am very sorry to say this.

Mr. Speaker: It does not matter; we will finish whatever work is possible.

Shri Satyanarayan Sinha: It is true there are a number of Bills. Let us know how much time they will take. I hope hon. Members will have patience. Hon. Members know that most of the Bills for which 4 hours have been allotted have been finished in 4 minutes. (*Interruption*).

Mr. Speaker: There is no need for recrimination at this time. Hon. Members need not get agitated over this matter. It is for Government to get through the Bill which they want to be passed. We shall finish whatever work we can by the 8th. Nobody will be asked to sit beyond the 8th.

12.28 hrs.

STATE FINANCIAL CORPORATIONS (AMENDMENT)* BILL

The Deputy Minister of Finance (Shri B. R. Bhagat): Sir, on behalf of Shri Morarji Desai, I beg to move for leave to introduce a Bill further to amend the State Financial Corporations Act, 1951.

Shri Tangamani A few Bills are being introduced now. I would like to have an explanation from the hon. Minister whether it is necessary that this Bill should be passed in this Session. If so, what are the reasons?

Mr. Speaker: I am not going to ask him that. The hon. Member can ask that he should be given reasonable time for considering this. Of course, when the consideration motion comes I will give him reasonable time.

---

*Published in the Gazette of India Extraordinary Part II—Section 2 dated 2-12-61.

Shri Rajendra Singh (Chapra): The question is this. Now the Bill is introduced. He may not remain Finance Minister in the next Parliament.

Mr. Speaker: Nobody can be sure of himself. Why talk of the Finance Minister?

The question is:

"That leave be granted to introduce a Bill further to amend the State Financial Corporations Act, 1951."

The motion was adopted.

Shri B. R. Bhagat: Sir, I introduce† the Bill.

12·30 hrs.

DOCK WORKERS (REGULATION OF EMPLOYMENT) AMENDMENT BILL*

The Deputy Minister of Labour (Shri Abid Ali): Sir, I beg to move for leave to introduce a Bill further to amend the Dock Workers (Regulation of Employment) Act, 1948.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Dock Workers (Regulation of Employment) Act, 1948."

The motion was adopted.

Shri Abid Ali: Sir, I introduce the Bill.

DELHI UNIVERSITY (AMENDMENT) BILL*

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): Sir, on behalf of Dr. K. L. Shrimali, I beg to move for leave to introduce a Bill further to amend the Delhi University Act, 1922.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Delhi University Act, 1922."

The motion was adopted.

Shrimati Lakshmi Menon: Sir, I introduce the Bill.

12.31 hrs.

DEMANDS FOR SUPPLEMENTARY GRANTS (RAILWAYS), 1961-62—*Contd.*

Mr. Speaker: The House will now take up further discussion and voting on the supplementary demands for grants in respect of the Budget (Railways) for 1961-62. Shri Tekur Subramanyam is in possesssion of the House. Thereafter the hon. Railway Minister will reply.

Shri T. Subramanyam (Bellary): Mr. Speaker, under supplementary demand No. 2, they have asked for some miscellaneous expenditure and the survey of some railways is proposed to be undertaken during the current year. The note here says:

"....these surveys are proposed to be undertaken during the current year, in view of the further picture of the Railways' works programme in the Third Plan which has emerged since the Budget."

12·32 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

In the Southern Railway, there is the survey for doubling by B.G. line between Guntakal and Hospet. This has been necessitated by the need to transport iron ore from Bellary district to the ports in the east and west coast. Bellary has got the richest

†Introduced with the recommendation of the President.

*Published in the Gazette of India Extraordinary Part II—Section 2 dated 2-12-61.

[Shri T. Subramanyam]

iron ore in abundance and I am sure that the demand for transport will be so great that this doubled line will have to be extended to Hubli and Karwar. The final location survey for Mangalore-Hassan line has been provided a sum of Rs. 215,000. But this has been linked up with the receipt of a communication from the Ministry of Transport and Communications which is expected shortly, indicating the programme of development of Mangalore port. The hon. Minister of Transport and Communications is also here and he has been taking very keen, active and earnest interest in this matter and I appeal to him that this indication may be given as early as possible. I hope that the awaited communication will come speedily and the work will not be held up.

To maximise the transport of iron ore, the Mangalore port is proposed to be made into a first-class port, with the provision of other facilities. It is proposed to export two million tons of iron ore from this port and the Hassan-Mangalore line assumes very great importance and significance in this context. As I said previously, Bellary district has got the richest iron ore in abundance. If this iron ore is to be sent to the Mangalore port by the proposed new line, Hassan-Mangalore line, then there is another line Kottur-Harihar line to be linked up with this which will shorten the distance considerably. I feel it is of very great importance and urgency. In fact in 1956-57, the then Railway Minister had included the survey of this line in the Railway Budget speech of that year and it is only a month back at the State development council meeting held in Bangalore the Chief Minister indicated that the Mysore Government had recommended this railway line to be taken up. Therefore, I appeal to the Railway Ministry that this Kottur-Harihar railway line should be linked up with the taking up of the Hassan-Mangalore line.

I will refer to another survey—final location survey for Salem-Bangalore line. I welcome this because it will help the development of both Mysore and Madras State. I am looking forward to the rich iron ore of Bellary district going to Salem and other areas of Madras and the coming of the lignite brickets to Bellary so that in these areas good iron and steel plants may be started. In this connection, I only make this personal appeal. Usually, there is a time-lag between the survey that is to be taken up and the actual laying or construction of the railway lines. I appeal to the Ministry that the completion of this survey should be expedited as early as possible and the time-lag between actual completion of the survey and the laying of the line should not be much because if there is a too long time-lag, the estimates etc. become out-dated. Therefore, I appeal again that these surveys may be expedited and the actual construction of the railway lines should also be taken up and expedited.

Shri Morarka (Jhunjhunu): I will ask only one question and not make a speech. I would refer to page 4 of the explanatory note where a provision of Rs. 24,000 has been made for reconnaissance engineering and traffic survey for Khetri-Chirwa line in the Western railway. This line is meant for serving the copper mines developing in Khetri and also to meet the requirements of the copper smelting plants. Traffic and other engineering surveys are no doubt necessary formalities. I hope that the fate of this line would not depend upon the finding of the traffic survey because even if it is otherwise uneconomic from the point of view of traffic, so far as the development of these mines is concerned, this is a must and the Planning Commission and the Ministry of Mines had been pressing this point again and again. I have also asked several questions as to what the decision of the Government on this matter is. I would like the hon. Minister to say when this work will be started and when the service would be completed. By what time they expect this line to be completed? The Planning Commission is

very particular that the work of development of the copper mines and the copper smelting plant should not suffer for want of these lines. I would be grateful if the hon. Minister can give a reasonable assurance about the starting of the work and also the completion of the work so that the work on the copper mines and the smelting plant may not suffer.

The Deputy Minister of Railways (Shri Shahnawaz Khan): Sir, the total supplementary demands aggregated to Rs. 8:30 crores and they have been placed before this House. These demands are in addition to the Budget demands totalling Rs. 892·78 crores for th e year 1961-62; it is only ·93 per cent of the total sanctioned grants. Therefore, these supplementary demands are by no means excessive. Before I start replying to the individual points made by hon. Members, I would like to bring specifically to the notice of this House two demands, namely, Demand Nos. 15 and 16. Demand No. 15 is for Rs. 3 lakhs and Demand No. 16 is for Rs. 1 lakh. A number of hon. Members, particularly, Shri Vittal Rao, Shri Tangamani and others wanted to know why such measure allocations have been made for these surveys. I should like to point out that these supplementary demands are not to secure additional funds but are only in the nature of token demands to bring specifically to the notice of this House certain new lines and new projects which constitute a new service for the purpose of article 115(1)(a) of the Constitution of India.

The token provision under Demand No. 15 is to enable a beginning to be made in the current year in the construction of certain new lines, that is, Panvel-Apta, Bangalore-Salem, Manamadurai-Virudhunagar, and Singrauli coalfields to Obra on the Garhwa-Robertsganj new rail link which had been approved after the budget for inclusion in the railways' programme for new lines and projects in the third Five Year Plan.

My hon. friend, Shri Vittal Rao, was not quite sure when the actual work of construction will start or how long it will take. Shri T. Subramanyam also wanted that there should be no time-lag bewteen the final location surveys and the actual starting of the work. As I have stated, these token grants have been asked for only to bring to the notice of this House that the actual work of construction will start during the current year. Therefore, we will not allow any grass to grow under our feet, and I can assure hon. Members to that effect. Shri Vittal Rao was not sure whether the Salem-Bangalore line would be completed during the third Plan. This line would take three to four working seasons and he can rest assured that the line will be completed during the third Plan period, and God willing, very much before that, depending on the availability of material for the track, etc.

Shri T. B. Vittal Rao (Khammam): We would greatly appreciate if the Minister is successful in that.

Shri Shahnawaz Khan: Since hon. Members are very much interested in these new lines which are being taken up. I seek your indulgence to give the House more details about these lines and I am sure hon. Members will be interested.

Shri Nath Pai (Rajapur): We would like to hear about the Konkan line also.

Shri Shahnawaz Khan: Shri Tangamani referred to the Manamadurai-Virudhunager line. The position is that provision is made for the preliminary engineering and traffic and final location surveys for this line which is approximately 41 miles in length and is estimated to cost Rs. 2·50 crores, as its construction is an urgent operating necessity to obviate the doubling between Madurai and Virudhunagar section. This will also facilitate the handling of traffic for south of Madurai during the third Five Year Plan, by providing an alternative link between Manamadurai and Virudhunagar, thereby relieving the

[Shri Shahnawaz Khan]

pressure on the existing line from Madurai to Manamadurai and from Madurai to Virudhunagar. This line is also included in the railway's programme for the new lines indicated in para 28, page 548, of the third Five Year Plan. Provision for the survey and for the construction of this chord line has been made in the current year itself. This link is relatively a short one and the construction can be undertaken immediately following the final location survey. There will be delay in this respect.

Shri Tangamani: How long will it take for the completion of the 41 miles?

Shri Shahnawaz Khan: It should not take more than two working seasons.

A number of hon. Members spoke about the Mangalore-Hassan line, particularly my hon. friends, Shri Subramanyam, Shri Tangamani and Shri Vittal Rao. All of them were very much interested in this line. The position is that provision for the final location survey of this line has been made but the survey will be undertaken after the receipt from the Ministry of Transport and Communications of an indication of the progress in the development of the Mangalore port, which is necessary according to the recommendations of the Planning Commission. Although we would very much like to go ahead, this is one of the instructions that we have received from the Planning Commission. The Secretary of the Ministry of Transport and Communications has been addressed for the requisite information, and it is expected that it will be furnished shortly by that Ministry.

Shri T. B. Vittal Rao: It was addressed a fortnight ago.

Shri Shahnawaz Khan: We are expecting a reply very soon. The position is that although we are awaiting their reply for the development of the Mangalore port, I can assure hon. Members that we are going ahead with the final location survey as soon as we hear from them. We would like to construct this railway line as early as posible, but until and unless the port is ready, to take the increased traffic and the increased traffic is actually utilised, there would not be much point in completing the railway line and our railway assets would not be giving us any good returns. But we will make pretty sure that we will not lag behind the development of the port itself.

Shri Achar (Mangalore): No token demand or grant is made for the Mangalore-Hassan line, though, for the other lines, supplementary demands for grants have been made.

Mr. Deputy-Speaker: Why should he insist on a token grant?

Shri Shahnawaz Khan: I should like to make it clear to the House that these demands are being made only for the interim period till the presentation of the next budget which is only a few months ahead, and the construction may be decided after a few months. So, it will be included in the next budget.

My hon. friend Shri Aurobindo Ghosal spoke about the Haldia Port-Kharagpur line. The position is that this also is one of the lines which is provided in the railway's programme for new lines in the third Plan. A rail line in the mining area of Orissa is required in connection with the export of iron ore through Calcutta. For the proposed port at Haldia and the port of Paradip, it is necessary to proceed with a survey, so that the construction of this line may be undertaken as early as possible. A provision for the survey of this line was not included in the budget for 1961-62 as the taking up of the related projects for the port during the third Plan had not been finally approved. A survey has now been provided in the supplementary demands for grants for

the project and the port has since been finally included in the third Plan.

The last speaker, Shri Morarka, wanted to know something about the Khetri-Chirwa line. The position is, even for this the survey has been made for the exploitation of copper deposits in Khetri. It was recently clarified by the Planning Commission that this line will fall under the general heading "railway facilities to be provided in connection with irrigation and power and mineral projects mentioned in the third Plan." We are fully seized of the importance of this line and we are going to go ahead.

Shri Morarka: When will the work start?

Shri Shahnawaz Khan: As soon as we get the demand.

Mr. Deputy-Speaker: After we go ahead.

Shri Nath Pai: Has he finished with the new lines? We were expecting something about the Konkan line.

श्रीमती कृष्णा मेहता (जम्मू तथा काश्मीर) : मैं जानना चाहती हूं कि मेरा भी कुछ जवाब मिलेगा ।

उपाध्यक्ष महोदय : अभी वह पहाड़ों में नहीं जाना चाहते, सर्दी पहले ही वहां बहुत है ।

श्रीमती कृष्णा मेहता : मैं यह जवाब चाहती हूं कि तीसरी पंच वर्षीय योजना के अन्त तक जम्मू और काश्मीर तक रेल ले जायेंगी या नहीं ।

उपाध्यक्ष महोदय : मई में गर्मी होगी, उस वक्त पहाड़ों पर जाना ज्यादा अच्छा होगा ।

Shri Shahnawaz Khan: I would like to remind the hon. Member that the delay in the construction of the line cannot be placed entirely on the railways. We are awaiting the final decision of the State Government as to whether the railway line alignment should be to the east or to the west; the question is under correspondence...

Shri Naushir Bharucha (East Khandesh): The question of alignment does not affect the construction of the main line.

Shri Nath Pai: Are we to understand that it is the Maharashtra Government which is responsible for the delay more or less? Silence means agreement.

Shri Shahnawaz Khan: The broad-gauge line between Panvel and Apta —10 miles—is required to be taken up immediately in view of the setting up of the basic chemical and intermediate plants near Apta, which has been considered an industry of national importance and it is expected to go into production towards the end of 1962. So, we are going to go ahead with it.

Shri Vittal Rao wanted to know why the cost of Singrauli-Obra line—36 miles long—is going to be Rs. 9·2 crores, i.e. approximately Rs. 25½ lakhs per mile, compared to other lines which are going to cost us very much less per mile. The reason is that this entire line lies in difficult plateau area cut across by deep ravines of rivers and rivulets. The cost of earth work formation itself is expected to be Rs. 8·8 lakhs per mile. The cost of bridging is expected to be Rs. 6·9 lakhs per mile, as the bridging is heavy and includes a bridge over the river Rihand, which alone will cost us nearly Rs. 1 crore. The final location survey is yet to be done. The detailed estimate will be based on the final location survey. Every effort will be made to build the line as economically as possible. But it is the terrain which is mainly responsible for this high cost.

A number of hon. Members have spoken about the fire in Dhilwan tim-

[Shri Shahnawaz Khan]

ber depot. This matter has been fully explained before the House on a number of occasions. A regular inquiry has been held into it. I would not take much time of the House over this matter, but I would only submit that this depot has been there for more than 50 or 60 years and there has never been a case of fire in that depot. The conditions that existed at the time of the fire had been prevailing for 50 or 60 years preceding. Some hon. Member made an insinuation that this fire was deliberately set, because here was something wrong with the accounting system of sleepers or the stocks were short and the shortage could not be explained.

Shri Rajendra Singh (Chapra): I object to the word 'insinuaton' because that is the opinion of an hon. Member; he has certain facts and on the basis of those facts, he arrives at a certain conclusion. So, I object to the word 'insinuation'.

Mr. Deputy-Speaker: Why should he object to that?

Shri Shahnawaz Khan: If he has got any facts different from mine, I would very much like to have them.

Shri S. M. Banerjee: I do not object to that.

Mr. Deputy-Speaker: The hon. Member does that deliberately and therefore he does not object.

Shri Shahnawaz Khan: A detailed report has been placed in the library; hon. Members can see that. The stocks were verified only one month before the fire took place and two sleepers were found to be surplus; there was no shortage.

Shri S. M. Banerjee: Were only those two burnt?

Shri Shahnawaz Khan: A number of hon. Members said that the expenditure in the Industries Fair incurred by the railways on the railway stall is excessive. The total amount is approximately Rs. 13 lakhs. Out of that, Rs. 9½ lakhs is the cost of the building itself. This building is going to be a permanent railway museum where we will display all the things produced by the railways, so that the foreign tourists and other people can see what the Indian railways are doing.

Mr. Deputy-Speaker: The complaint was that the details should have been given in the statement.

Shri Shahnawaz Khan: I am giving them now. The new siding is going to cost Rs. 50,000 and the payment of ground rent is about Rs. 3 lakhs.

Shri Vittal Rao also was critical about the accounting system of railways. He said the bill for the ground rent for the Railway Centenary Celebrations of 1953 was being paid only recently. There has been delay, but the matter was continuously under correspondence between different departments. The railways were not quite sure whether they should really pay for this ground rent, because after all, the ground belongs to the Government and it was merely making payment from one department to another. This was thrashed out and it took some time.

Shri T. B. Vittal Rao: It took 8 years!

Shri Shahnawaz Khan: Shri Vittal Rao also wanted to know why the diesel locomotive works was being put up at Varanasi. I have explained that already in reply to a question that was put to me in the House previously. I gave the reasons fully. If you want me to repeat them, I will do that, but the hon. Member is fully aware of the reasons; I explained them to him only the other day.

Shri T. B. Vittal Rao: When the Railway Board could come to such an independent decision, they could have come to it a little earlier instead

of appointing a committee to go into the location of it.

13 hrs.

Shri Shahnawaz Khan: We did not want to take any arbitrary decision. We wanted to leave it to the committee.

Shri T. B. Vittal Rao: And the committee's recommendation. . .

Shri Shahnawaz Khan: It is final.

Shri T. B. Vittal Rao: The committee's recommendation has been brushed aside.

Mr. Deputy-Speaker: Perhaps the hon. Member's argument is that the Board could have taken a decision earlier. His point is that a committee was appointed but the committee's recommendation was not awaited and the Board came up with a decision.

Shri T. B. Vittal Rao: The Committee recommended certain sites. But that recommendation was brushed aside and an independent decision was taken. I have no quarrel with the actual location at all, I am only concerned with the delay.

Shri Shahnawaz Khan: There has been no delay. The House is fully aware of the background of this case. But the Railways have now agreed to put up this diesel locomotive works. Previously it was going to be put up by he private sector, but then a decision was taken to put it up in the public sector. In order to avoid any delay we are putting it up at Varanasi because of the facilities available. The buildings, the machinery etc. are all at the site and as soon as we finish negotiations with the collaborators we will go ahead with the work so that any possible delay is cut. That is the only objective, and there is no regional or any other feeling.

Shri T. B. Vittal Rao: Make up for the delay by expeditious construction.

Shri Shahnawaz Khan: Yes; I can assure the hon. Member about that.

Then, quite a number of hon. Members spoke about departmental catering. Shri Vittal Rao, Shri Bharucha, Shri Jaipal Singh and others spoke about departmental catering. Shri Tangamani wanted that food packets should be encouraged. We are always constantly at it and we are making experiments. In some places they have succeeded and in some other places they have not succeeded. We are trying other experiments too. We have accepted his principle and we will be endeavouring to introduce more and more food packets.

Shri Narasimhan (Krishnagiri): What about Dindigul?

Shri S. M. Banerjee (Kanpur): I wanted food packets to be introduced in the north. Has it been tried in the north?

Shri Shahnawaz Khan: Yes, we have tried it at Delhi and Lucknow.

Mr. Deputy-Speaker: Perhaps it has not been tried at Kanpur.

Shri Shahnawaz Khan: We will try at Kanpur also.

Shri Narasimhan: What about Dindigul?

Shri Tangamani: Departmental catering is going to be closed there.

Shri Shahnawaz Khan: There is one Dindigul station where departmental catering is going to be closed. Our policy is to have a comprehensive departmental catering wherever we have departmental catering. That is to say, we take up the entire catering at a station. At this particular station, only the vegetarian refreshment room is under departmental catering and the other things are in the private sector. The idea of departmental catering is to set up a good standard. At Dindigul there is a good standard from the private caterers and we want to give them a chance there.

[Shri Shahnawaz Khan]

I am sorry my hon. friend Shri Jaipal Singh is not here. He did not like the *kohai* curry. We have formed catering committees on our railways. The members of the National Railway Users' Consultative Committee and the Zonal Railway Consultative Committee are authorised to inspect the catering establishments and make their suggestions. We have also authorised a number of ladies to go and inspect and make suggestions for improvement of departmental catering. We take benefit from any suggestions that are made. Any complaints that are entered in the complaint book are also looked into very thoroughly with a view to improving the departmental catering.

Shri Naushir Bharucha: Why have you reduced the menu?

Shri Shahnawaz Khan: I will be looking into that.

Shri Naushir Bharucha: To prevent over-eating?

Shri Shahnawaz Khan: That is on an individual railway and we will be making enquiries to find out why it was done there. I shall look into that matter.

Shri Bharucha wanted to know the reasons for increase in the consumption of coal. Under that Demand No. 7, the amount of arrear-bills which had to be unavoidably carried forward in respect of one railways is Rs. 25 lakhs and Rs. 75 lakhs are for greater consumption. The Indian Railways consume coal worth about Rs. 40 crores to Rs. 50 crores annually. Taking this figure in the light of the actual cost of coal consumed, it comes to about less than 2 per cent. The reason is—and we have explained it on a number of occasions before this House—that the best quality of coal which used to come to the railways is now going elsewhere. The type of coal that we are getting now is a very inferior type of coal mixed up with dust and shales. We have received complaints from railways that in some places 40 to 50 per cent of coal supplied to us is dust and we are having no end of trouble with our locomotives. We have a large number of engine failures because of inferior quality of coal that is supplied to us, but we are trying to do whatever we can. The only remedy appears to be to set up washeries. That is under consideration and washeries are being set up. We are also setting up an inspection organisation which will carry out the inspection of coal that is sent to the railways. I do not deny that there is a certain amount of pilferage of coal on railways. We are fully aware of it, and at the last meeting of the General Managers this point was specifically taken up. Intensive raids are being made on places suspected of pilferage of coal. Recently, at Atari, just on the border of Pakistan, very intensive raids were conducted and we recovered very large quantities of coal from different people. We are fully conscious of this and we will try and bring down these figures.

Shri T. B. Vittal Rao: The Fuel Economy Enquiry Committee recommended that we should draw coal only from 200 collieries as against 400 as at present. What happened to that recommendation, and how far has that been implemented?

Shri Shahnawaz Khan: As I said, an inspection organisation is being set up and we are entering into an agreement with the various collieries.

Shri Bharucha also wanted to know the reasons for the increased expenditure on power from Chola Power House. The reason was, due to floods and breaches at Khadakvasala and Panshet Dam near Poona the Tatas were required by the State Government to divert water from their hydro-electric reservoir for meeting the city's water requirements in Poona. This resulted in shortage of water in the Tata hydro system. The

resultant shortage in hydro-electric power had to be made up by augmenting power generation in the railway power house to the extent of 67 million units. The balance of 20 million extra units were consumed by the two Bombay railways due to increase in load on their respective railways. The main reason for the additional expenditure incurred on additional power is on account of increase in power requirements of Tatas which could not be foreseen. The railways receive full payment from Tatas for all the power supplied to them from the railway power house at Chola.

Shri Naushir Bharucha suggested that payment of compensation, either for acquisition of land or accident or any other purpose, should be made by the railways without any delay. I fully agree with him and it is our constant endeavour to minimise delays. Shri Jaipal Singh was very vehement about the delay in the payment of compensation for the land acquired in his area in connection with the setting up of new railway lines. The Railway Ministry is very keen indeed to make sure that there is no delay in the payment of compensation to the land-owners. In many cases, we even make advance payments to the State Governments so that nobody suffers. But the actual payment to the land-owner has necessarily to be made by the State Government through its revenue department of land acquisition officer. We have requested the State Governments to cut out delays, wherever they can.

My hon. friend, Shri Nath Pai, stated that the railways must keep a very contented force of railwaymen. I am grateful to him for this very valuable suggestion and I can assure him that it is our constant aim. The relationship between the employees and the employers in the railways is very cordial indeed and we are getting on very well.

He then stated that the employees who took part in the strike are still being victimised. We were not responsible for the strike. Even then, Government have taken a lenient view. We are abiding by the decision of Government and implementing it very faithfully. The hon. Railway Minister ies personally looking into all the cases that are brought to his notice. So, I can assure the hon. House that it is far from our intention to victimise any of the our railway ployees.

Shri T. B. Vittal Rao: We will be happy if you reinstate all.

Shri Shahnawaz Khan: Shri S. M. Banerjee, Shri T. B. Vittal Rao and a number of other hon. Members wanted to know why the increased city allowance for Delhi is not being paid from 1st July 1959. The decision to upgrade Delhi into a Class A city was taken only recently after we have consulted the latest census figures. Further, I may inform the House that this decision was not taken exclusively by the Ministry of Railways. Other Ministries like the Ministry of Home and the Ministry of Finance were consulted in this matter and the decision was taken jointly for all Central Government employees.

Shri Tangamani wanted to know why Madras city has not been classified as Class A city. It has not been classified Class A, because it has not qualified for that. It depends upon population.

Shri Tangamani: The population of greater Madras is not taken into account unlike Delhi.

Mr. Deputy-Speaker: The hon. Member should direct the attention of the city to this and try to increase the population of Madras city.

Shri Shahnawaz Khan: Then Shri Tangamani wanted to know why there was delay in the payment of certain dues by the railways to the Madurai municipality. The current municipal demands and taxes we are paying. This relates to certain arrears which had to be paid with effect from 1st

[Shri Shahnawaz Khan]

April 1948. The actual figures are being worked out. But, as a preliminary step, we have made an advance payment, payment 'on account' of Rs. 2 lakhs to the municipality.

My hon. friend Dr. Menon is not here. He referred to increased pay to officers of the Railway Board, Chief Personnal Officer and Directors. We have not made any additional demand on that account. In the end, I would like to thank particularly my hon. friends Shri Jaipal Singh and Shri Narasimhan who said words of praise in support of the railways for which I am very grateful.

श्रीमती कृष्णा मेहता : श्रीमान्, मैं जानना चाहती हूं कि जो कुछ मैंने कहा था उसके बारे में जो फैसला किया गया है, उसको बताते हुये झिझक वह क्यों अनुभव करते हैं। मैं चाहती हूं कि उसको वह साफ इस सदन में बता दें क्यों कि यह बहुत जरूरी चीज है। मेरी उस बात का कुछ भी उत्तर नहीं मिला है।

श्री शाहनवाज खां : पहले तो आप फरमाया करती थीं कि काश्मीर में रेलवे लाइन है ही नहीं और जो उनका मुतालिबा था वह पूरा हो गया। काश्मीर में रेलवे लाइन बन रही है कटुआ तक और एक बड़ा शानदार पुल रावी पर एक करोड़ से ज्यादा की लागत पर बन रहा है। आगे जैसे जैसे वहां पर ट्रेफिक नजर आयेगा और जैसे स्टेट गवर्नमेंट मुतालिबा करेगी, उस पर भी गौर किया जायेगा। सुना है वहां बहुत सी मिनरल्ज पाई गई हैं और प्लानिंग कमीशन ने हमें इजाजत दी तो फिर हम आगे बढ़ेंगे।

श्रीमती कृष्णा मेहता : यह छः मील का फासला है और तीन साल से मैं इसकी मांग कर रही हूं। काश्मीर तो बहुत दूर है। जम्मू तक ही मैं मांग कर रही हूं।

श्री शाहनवाज खां : मैंने जम्मू के लिये कहा है कि जब प्लानिंग कमीशन इजाजत देगा तब करेंगे।

श्रीमती कृष्णा मेहता : तीसरे प्लान में वह कम्पलीट होगी या नहीं ?

उपाध्यक्ष महोदय : आप जरूर 'न' में ही जवाब लेना चाहती हैं? अगर तसल्ली बख्श जवाब होता तो वह जरूर दे देते। शायद वह तसल्लीबख्श नहीं है, इस वास्ते आप इसको रहने दीजिये यहीं पर।

Mr. Deputy-Speaker: Am I required to put to the vote any of the cut motions separately?

Shri T. B. Vittal Rao: I request that cut motion No. 15 may be put to the vote separately.

Mr. Deputy-Speaker: All right. The question is:

Need to take up immediately the final location survey for Mangalore-Hassan line

"That the demand for a supplementary grant of a sum not exceeding Rs. 28,61,000 in respect of Miscellaneous Expenditure be reduced by Rs. 100." (15).

The motion was negatived.

Mr. Deputy-Speaker: I will now put all other cut motions to the vote of the House.

The cut motions were put and negatived.

Mr. Deputy-Speaker: The question is:

"That the respective Supplementary sums not exceeding the amounts shown in the third column of the order paper be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962 in respect of the following

demands entered in the second column thereof—

Demand Nos. 1, 2, 7, 9, 15 and 16."

The motion was adopted.

[The motions for Demands for Supplementary Grants which were adopted by the Lok Sabha are reproduced below—Ed.]

DEMAND NO. 1—RAILWAY BOARD

"That a supplementary sum not exceeding Rs. 3,05,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962, in respect of 'Railway Board'."

DEMAND NO. 2—MISCELLANEOUS EXPENDITURE

"That a supplementary sum not exceeding Rs. 28,61,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962, in respect of 'Miscellaneous Expenditure'."

DEMAND NO. 7—ORDINARY WORKING EXPENSES—OPERATION (FUEL)

"That a supplementary sum not exceeding Rs. 4,91,32,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962, in respect of 'Ordinary Working Expenses—Operation (Fuel)'."

DEMAND NO. 9—ORDINARY WORKING EXPENSES— MISCELLANEOUS EXPENSES

"That a supplementary sum not exceeding Rs. 3,02,25,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962, in respect of 'Ordinary Working Expenses—Miscellaneous Expenses'."

DEMAND NO. 15—CONSTRUCTION OF NEW LINES

"That a supplementary sum not exceeding Rs. 3,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962, in respect of 'Construction of New Lines'."

DEMAND NO. 16—OPEN LINE WORKS—ADDITIONS

"That a supplementary sum not exceeding Rs. 1,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962, in respect of 'Open Line Works—Additions'."

13.20 hrs.

MAJOR RAILWAY ACCIDENTS

Shri Rajendra Singh (Chapra): Mr. Deputy-Speaker, Sir, I beg to move:

"That this House takes note of the statement made by the Minister of Railways in the House on the 20th November, 1961 on major accidents which occurred recently."

The day this Session began the hon. Minister of Railways made a statement on three major accidents in which several lives were lost with a heavy heart. While initiating the debate on this matter I assure you that it is equally with a heavy heart that I am doing so.

In the course of his statement the hon. Minister also recapitulated many steps that he decided to take at the time he assumed office and subsequent to that. A close perusal of the entire statement discloses that all the endeavours or attempts that the hon. Minister or the Railway Board had made have proved an utter failure. The situation today remains what it was when his predecessor resigned.

[Shri Rajendra Singh]

When he says that things may improve I look at the matter with a dep sense of pessimism. I do not say that these accidents in any way reflect on the personality of the hon. Minister or even on the administration of the Railway Board. But if a man of his stature, intelligence and imagination could not be able to improve the situation even to a significant extent, what the future would be is difficult to envisage.

The most painful thing in this regard to my mind has been the statement of the Chairman of the Railway Board. The Chairman is a man of science. To hear from a man of science that it has been his bad luck to have this series of accidents is painful in the sense that he has exhibited an unscientific attitude. Much as I deplore this attitude I would now like to proceed to tell you that the country is disconcerted at these three accidents. Not only that, in fact the accidents on the railways have been so numerous and pathetic from the point of view of property and time lost that it takes one's breath away and one wonders how it will at all be a going concern. The figures which have been given to us by the hon. Minister in the course of his statement reveal that in one year there have been.....

Shri Shahnawaz Khan: Which year?

Shri Rajendra Singh: I am talking of 1960-61.

Even if you claim that there has been some reduction in the percentage of accidents, the fact remains that every day, according to this calculation, you are having more than 30 accidents on your railways.

An Hon. Member: Every day?

Shri Rajendra Singh: Yes, 8.808 is the total number of accidents in one year. Divide it by the number of days and you will find the result. Similarly, if you calculate it in that manner you will find that on every three or, say, four miles to be exact of your railways you are having one accident. Look at it from any point of view. The situation is really pathetic and abnormal.

The Minister of Railways (Shri Jagjivan Ram): What is the definition of an accident?

Shri Rajendra Singh: I am coming to that.

Shri Tangamani (Madurai): He is now talking only about major accidents. There were about 1,500 minor accidents also.

Shri Rajendra Singh: The hon. Railway Minister neither at the time when the Budget is presented to this House nor on any other occasion has taken the trouble of giving the real state of affairs. Although he has said in his statement that he presented to this House a review of the accidents which took place during the last twenty years, if you look at that pamphlet you will find that enough of shrewdness has been shown by the Railway Board in not disclosing the real state of affairs. For the benefit of this House I would like to read out the extent, the number and the types of accidents which will reveal the true and actual state of affairs. To that extent I would beg of your indulgence. Please let me read out the different type of accidents which have happened and are happening with a vengeance on the railways.

During the last six months there had been 1,883 accidents. The break-up of these accidents is as follows:—

> "The break-up of the accidents which took place during April-September this year shows that there were 61 collisions, 763 derailments, 37 averted collisions, 70 cases of trains ignoring danger signals, 30 breaches of block rules, 787 instances of trains parting and 135 instances of fires in trains. While it is true that a considerable number of these accidents was in the nature of minor mishaps the rest not less numerous were po-

tential major disasters. Though there has been a small decrease in the number of fires in trains, the number of train accidents has increased in all zones. The rise in the number of accidents can be traced in the main to more cases of train partings....."

I want to underline it.

"....as well as trains passing signals at danger." Two aspects are there, namely, mechanical failure when the train parts and very serious negligence of duty on the part of the individual or a set of individuals concerned when they take or allow to take the train against signals. Then it says:

"The category causing the greatest anxiety is train derailment particularly mid-section derailments."

Most of all, one thing which cannot lead to any reasonable squaring up is the mid-section derailment. The hon. Minister, or for that matter the Board, might say that this is because of the weak track or because of some defect in the rolling stock. That might be so. But when the hon. Minister assumed office he assured this House that all possible steps would be taken to improve the equipment of all varieties, types and nature. I want to know what steps have been taken to see that the equipment was improved. I fear he might say a lot of things. But so far as results are concerned, we feel and are convinced that no improvement has so far taken place. One argument that he might advance is that there is rapid development of the railways all over the country. That is as it should be. But, none-the-less, safety cannot be ignored. This can never be an excuse to tell the country that since development works are going on, therefore, the country should be prepared to suffer losses in life and suffer loses in property. That cannot be an argument in an age when science and reason are predominant. To that extent I feel that the Railway Board has not functioned with a sense of efficiency and responsibility which it should have.

It is again a regrettable fact that the Railway takes all possible care to hide away from the sight of the general public all these accidents. If they fail, then, they try to minimise them. Just I am quoting the figure for six months. One thousand eight hundred and eighty three accidents took place from April to September this year. The law is that as son as an accident takes place, within three months, an enquiry report should be submitted to the Board. Now, 60 per cent of the cases have not yet been covered by the Inspector's report. Final reports have not yet been given. Things are lingering on. There is a basic defect in the Inspector's enquiry. The Inspector does not have the power to call witnesses and to cross-examine them. No enquiry—whether judicial or quasi-judicial or technical—canbe possible or can be adequate or can be acceptable to a reasonable man unless the enquiring man has the power to do all that a Judge has the power to do. All these reports, whatever be their findings, are full of doubts and full of defects. The manner in which the enquiry is conducted and the final reports that are given to us are such that that they take away from the sight of the actual state of affairs and to that extent, I think, we remain ignorant of what is happening.

There is another aspect of it. It has been whispered sometimes very loudly, that quite a few of the accidents are because of sabotage. Well, Sir, I know a bit of the railways, and I do not think that there is any reasonable evidence to support it. Even suppose you admit it for a minute as a hypothesis, the Railway Minister, at the very outset, when he assumed office, said that he has outlined certain measures which in collaboration with the respective States he wanted to be taken so that sabotage could be detected, minimised and if possible, stamped out But, Sir, with what results? I have not come

[Shri Rejendra Singh]

across—subject to correction by the Minister and his Board—a single case of derailment, other than the report of the Inspector, proved to be the result of sabotage by many judicial body or by even intelligence. Railway disaster is a great matter. It is much more than a case of an individual homicide. If homicide cases could be detected and the offender could be brought to book, is it not thinkable or believable that sabotage, not in one case, but all over the country, could not be detected? The fact is, there is nothing to be detected. If the Railway does not find any other excuse or cannot hide its own faults or its failures and shortcomings, they jump on one proposition that there has been sabotage. One example is Ghatsila. The Minister is smiling. Of course, you will have your turn. Why are you smiling at me? I am saying what my feelings are and my feelings are shared by a large number of millions in this country.

Mr. Deputy-Speaker: Why should he object to a smile, because it is innocent?

Shri Rajendra Singh: I am not objecting.

Shri Jagjivan Ram: I am not interfering.

Mr. Deputy-Speaker: He feels that even a smile would interfere.

Shri Rajendra Singh: I cannot object....

Mr. Deputy-Speaker: Instead of noticing him smile, the hon. Member should look at me.

Shri Rajendra Singh: There is Ghatsila. I had a number of talks with people who had been on that ill-fated train. They told me—this is something on which you have to depend. I have not got the papers at the moment before me. I can vouchsafe what I am saying. In the Calcutta, the papers, *Amrita Bazar Patrika* and *Statesman*, many of the people who had been travelling in that train, came out with statements and Letters to the Editor that the fish plates which were not found in the track were found inside some of the carriages and they told us that it is not a case of sabotage. It was just a case of negligence, because, if I am not very wrong—subject, again, to correction,—half an hour before . .

Some Hon. Members: Fifteen minutes.

Shri Rajendra Singh: ....fifteen minutes before the train met with the accident, another train had passed smoothly and safely over the track. Within fifteen minutes, a miscreant would come and take away the fish plates and derail the train—is it believable?

Then, again, derailment must be a purposeful derailment, must have a certain meaning. What could be the meaning? The meaning could be loot. The meaning could be vengeance. Meaning could be wreaking certain national revenge. For example, somebody may be an agent of some country hostile to us and they would try to put us to loss. I have not come across even a single instance where such a thing could be supported by evidence. Then, when the train was derailed, there would have been looting. I am told that for fourteen hours, the rescue party or the medical party and those things which are needed on such an occasion, could not go to the spot.

Shri Jagjivan Ram: Fourteen hours?

Shri Rajendra Singh: That is what I am told; again, you will correct me. They did not go there for at least a few hours. When there is a mid-section derailment, news has to go to a bigger station, a breakdown van has to be brought and it takes time. If there had been a case of sabotage with the purpose of looting the passengers, there would have been such accidents. No such accident has so

far been reported. Similarly, when, elsewhere, it is said that at Katihar there have been cases of sabotage, I take it with a ton of salt—not with a pinch of salt but with a ton of salt. I refuse rather to believe everything that the Railway Board would like us to believe. It is really a serious matter.

There are all types of accidents—not one type of accident, but all types of accidents—sometimes, coupling giving way, etc. The most surprising thing is which takes one's breath away is that a few days before, the Railway Minister's own coach caught fire. If the Minister's saloon can catch fire, then what to speak of the carriage in which a poor man like me travels?

Mr. Deputy-Speaker: The hon. Member's saloon would go all right. It would not be touched. It is only the Minister's car which would be touched.

Shri Rajendra Singh: I am coming to that, and I shall point out what the difference is. The Minister's saloon is something which does not move constantly; it moves only when a very high officer or a Minister has to go from one place to another. So, its life is very much preserved. Further, whenever it is to go on the line, many checks are made. If, after all these checkings, axle fire takes place, then, can it be denied that it is because of the sheer negligence on the part of the railways, whosoever it may be? It does not matter whether the person concerned is an ordinary employee or an officer; both of them are equally responsible. If this kind of thing happens with the Railway Minister's car, then I do not know what will happen to the ordinary cars or carriages.

I have come across several employees who have told me that the train examiners who are responsible for checking the wheel, the tyre, axle etc. and seeing whether they are in order, are not given enough time to check the carriages, with the result that the carriages roll on and on, at the mercy of God, and when God wills otherwise, there is an accident. This is not the way in which such a huge organisation which has taken upon itself such a tremendous responsibility of carrying people safely from one place to another should behave.

About a month before, I was coming in a 'crack' train, and the train came to a halt at the outer signal at Dohad. It stopped there for fifteen minutes, and it was then about to berth itself at the station, when it collided against an empty engine. What are we to call it?

Shri D. C. Sharma (Gurdaspur): Was my hon. friend there?

Shri Rajendra Singh: Unless it collides against my hon. friend's head, he cannot understand it.

Shri S. M. Banerjee: That will be a head-on collision.

Mr. Deputy-Speaker: Heads should not collide against one another at least here.

Shri Nath Pai: Head-on collisions are very dangerous.

Shri Rajendra Singh: The point that I am driving at is that such colossal negligence cannot be excused. My information is that the Railway Board are ignoring it. If that is the case, I do not know to what extent they will carry us to our final extinction.

Having said all these things, I would like to make a few suggestions. These are the things, bad as they are, but, after all, human efforts must be put forth to redeem and to improve. According to me, the first thing that the Railway Minister has to do is to order at once a judicial enquiry. Whatever be the extent of the accident, whether it be a goods train accident or a passenger trains accident, it should be reported to the people at large, or throughout the country, and judicial enquiries should be made with full right to the presiding officer of the enquiry to call for

[Shri Rajendra Singh]

any witnesses, to call for records, and to report not to the Railway Board first but to Parliament; I want that such reports should be made available to Parliament first, and then only they should go out elsewhere. Unless this kind of thing is done by the hon. Minister, the Railway Board cannot be inspired, and cannot be whipped into the proper attitude. This is my first suggestion.

My second suggestion is that whenever there is even an averted accident, whosoever is responsible, whether he be a locoman, or a man in the loco-shed, or a man on the car or the man who has been deputed to check or the man somewhere higher up, should be dealt with mercilessly. One of the correspondents of a newspaper—I do not vouchsafe for what he says; I do not vouchsafe for its accuracy—says that many of the offenders have not only not been properly dealt with, but have been excused. If such sort of encouragement is given to the employees, I do not know what will happen. I have my sympathies for the urges of the employees, but none-the-less, the life of the nation, the property of the nation, and the safety of the travelling public are far more important than the grievance of this section or that section of the railway employees. It is from that point of view that I wish that deterrent punishment should be meted out.

The hon. Minister has said in his statement that he has a measure to educate the people. I am not aware of what measure of education he has devised and how it is being injected into the minds of the railwaymen wherever they may be in the hierarchy. According to me, there is no such thing.

Therefore, I want that there should be swift and deterrent punishment; even before the report of the inspector or the report of the judicial enquiry is out, such men should be punished and they should be given as much punishment as is possible within the framework of the railway rules.

Mr. Deputy-Speaker: The hon. Member wants that even before the report is out, the punishment should be given?

Shri Rajendra Singh: What I mean is that the man must be suspended. Otherwise, it becomes very difficult. Supposing, I am out of this House, and a man comes and says that Shri Rajendra Singh has committed murder, then, before I am...

Mr. Deputy-Speaker: The hon. Member wants that the punishment should be given before the guilt is proved?

Shri Rajendra Singh: What I am saying is that the man must be suspended. I say that the punishment should be within the framework of the rules.

Mr. Deputy-Speaker: Supposing the man commits murder and he is executed straightway, then of what benefit would the enquiry be?

Shri Rajendra Singh: Excuse me, Sir. You have not cared to listen to the full sentence. I have only said that the punishment possible within the framework of the rules should be given, I do not say that the punishment outside the rule should be given.

Shri S. M. Banerjee: He may be released on bail later on.

Shri Rajendra Singh: There is no question of bail here.

Shri Vajpayee (Balrampur): There should be summary trial.

Mr. Deputy-Speaker: The hon. Member's time is up. He has already taken about half an hour.

Shri Rajendra Singh: Have I? Then, I would conclude in a minute.

I feel that at least in the matter of ensuring safe travel for the passen-

gers, and in ensuring the safety of the railway properties, the Railway Board and the Railway Minister have severally and jointly failed and failed miserably. I do not think that any word would be strong enough to pull them up. Swift action is needed.

Mr. Deputy-Speaker: Motion moved:

"That this House takes note of the statement made by the Minister of Railways in the House on the 20th November, 1961, on major accidents which occurred recently."

The hon. Mover has already taken about half an hour. I believe the hon. Minister also would require about half an hour.

Shri Jagjivan Ram: Yes.

Shri Nath Pai (Rajapur): It is our turn to discuss; his is to look after the safety of passengers, and to avert accidents.

Mr. Deputy-Speaker: Do hon. Members not want a reply from the Minister?

Shri Nath Pai: We want him to prevent the accidents.

Shri S. M. Banerjee (Kanpur): We want the reply also.

Mr. Deputy-Speaker: The reply would take about half an hour. So, we have got only one hour left for those who want to participate in the discussion. May I know how many Members are desirous of speaking? I find that there are eight Members who want to speak.

Shri S. M. Banerjee: At least those wh have tabled the motion may be given a chance.

Shri Vajpayee: I have an amendment also to this motion.

Mr. Deputy-Speaker: I believe the hon. Member Shri Vajpayee also would like to speak.

So, we have 60 minutes to be divided between eight Members; so, each Member can take 7 minutes.

Shri Vajpayee may move his amendment now. He may take about ten minutes.

श्री वाजपेयी : उपाध्यक्ष महोदय, मेरा संशोधन यह है :

"मूल प्रस्ताव में यह जोड़ा जाये :

यह सदन सरकार से सिफारिश करता है कि वह इन दुर्घटनाओं की अदालती जांच कराने की वांछनीयता के सम्बन्ध में विचार करे।"

रेलवे मंत्री जी के वक्तव्य में तीन बड़ी दुर्घटनाओं का उल्लेख किया गया है। यह तीनों दुर्घटनायें २० दिन के भीतर हुई हैं, जिन में ७५ व्यक्ति मरे और २४० बुरी तरह घायल हुये हैं। इन दुर्घटनाओं के परिणाम स्वरूप ेल यात्रियों का इस बात में विश्वास हिल गया है कि रेलवे उन्हें गन्तव्य स्थान तक सुरक्षा के साथ पहुंचा सकती है। रेलवे प्रशासन यात्रियों को बैठने की जगह नहीं दे सका है, जो माल ढोया जाता है उसे ही ठीक तरह से पहुंचाने में रेलवे विफल रही है, रेल कर्मचारी भी पर्याप्त सुविधायें प्राप्त नहीं कर पा रहे हैं, किन्तु कम से कम यह आशा तो की जाती है कि जो यात्री रेलगाड़ी में बैठ कर यात्रा करते हैं उन्हें वह अपनी जगह पर पहुंचा देगी। यह प्रमुख कार्य है जिसे रेलवे अभी तक नहीं कर पा रही है।

मुझे रेलवे मंत्री जी के वक्तव्य में रांची एक्सप्रेस की दुर्घटना के बारे में जो आंकड़े दिये गये हैं उन्हें पढ़ कर बड़ा ताज्जुब हुआ। मेरा निवेदन है कि इस वक्तव्य में जो आंकड़े दिये गये हैं उनका जोड़ ठीक नहीं बैठता है। वक्तव्य में कहा गया है कि ४५ लोग मर गये और ६ बाद में मर गये। इस के अलावा ११ लोगों को बुरी चोटें लगीं १८४ व्यक्ति ऐसे थे जिन्हें हलकी चोटें लगीं। जिन में से ७१ व्यक्ति फर्स्ट एड के बाद छोड़ दिये गये, ६२ व्यक्तियों को अस्पताल

[श्री वाजपेयी]

में चिकित्सा के बाद छोड़ दिया गया, और ३२ व्यक्ति ऐसे हैं जो कि जिस दिन उन्होंने वक्तव्य दिया था उस दिन भी अस्पताल में थे। अब अगर यह ३२ व्यक्ति, ७१ व्यक्ति और ९२ व्यक्ति को हम जोड़ दें तो उन का जोड़ १९५ होता है, १८४ नहीं। जो लोग अस्पताल में हैं उन्हें भी अगर शामिल कर लिया जाये तो भी जोड़ १९५ होता है और रेलवे मंत्री जी कहते हैं कि जिन व्यक्तियों को चोटें लगी उनकी संख्या १८४ थी, और इस में हलकी चोटें वाले भी शामिल हैं। मैं जानना चाहूंगा कि किस आधार पर यह आंकड़े दिये गये हैं जो कि रेलवे मंत्री के वक्तव्य में दिये गये आंकड़ों पर ठीक नहीं बैठते, और इन दुर्घटनाओं के सम्बन्ध में रेलवे प्रसाशन की ओर से जो बात कही जाती हैं उन्हें किस तरह से ठीक माना जा सकता है ?

रांची एक्सप्रेस की दुर्घटना के बारे में कहा जाता है कि वह तोड़ फोड़ का परिणाम है और इस के लिये गवाही दी जाती है रेलवे इन्स्पेक्टर की। कहा जाता है कि रेलवे इन्स्पेक्टर रेलवे से संबंधित नहीं हैं, वह ट्रांसपोर्ट और कम्यूनिकेशन मिनिस्ट्री के हैं। मैं बड़ी नम्रता से कहना चाहता हूं कि रेलवे इन्स्पेक्टर दूसरे मंत्रालय से संबंधित हैं, केवल इसी आधार पर उन की रिपोर्ट को ठीक नहीं कहा जा सकता। अभी तक रेलवे मंत्री जी ने यह नहीं बतलाया है कि आखिर तोड़ फोड़ करने का मन्तव्य क्या था। उस क्षेत्र में इस से पहले तोड़ फोड़ की कोई घटनायें नहीं हुई। हां, जम्मू तथा काश्मीर की सीमा के निकट पंजाब के क्षेत्र में तोड़ फोड़ की कार्रवाइयां हुई हैं। जिन में कुछ लोगों पर सन्देह करने का कारण हो सकता है। लेकिन उस क्षेत्र में जहां पर कि रांची एक्सप्रेस की दुर्घटना हुई कोई तोड़ फोड़ की कार्रवाई करेगा, इस प्रकार का सन्देह करने के कोई कारण नहीं हैं, और अगर हों तो मैं रेलवे मंत्री जी से कहूंगा कि वे रेलवे इन्स्पेक्टर को रिपोर्ट दिखला कर जनता के मन में जो सन्देह पैदा हो गये हैं दूर नहीं कर सकते। उन को दूर करने का एक ही तरीका है कि इस दुर्घटना की जांच किसी हाई कोर्ट जज के द्वारा कराई जाय। समाचार पत्रों में इस प्रकार की बातें छपी हैं कि दुर्घटना की बात को मानने के लिये हम तैयार नहीं हैं। मैं इस सम्बन्ध में अपनी कुछ राय देना नहीं चाहता लेकिन मेरा निवेदन है दुर्घटना की बात कह कर आप लोगों का समाधान नहीं कर सकते। अगर तोड़ फोड़ हुई है तो किस ने की ? उस का उद्देश्य क्या था? किसी भी सन्देह के परे यह बात साबित होनी चाहिये कि यह दुर्घटना तोड़ फोड़ का परिणाम है, अन्यथा इस पर विश्वास करना सम्भव नहीं होगा।

मैं मुख्य रूप से मैनपुरी के निकट जो दुर्घटना हुई है उस के बारे में अपने विचार प्रकट करना चाहता हूं। मैं ने घटनास्थल पर जा कर के भी कुछ जानकारी प्राप्त की है, मैं ने रेलवे कर्मचारियों से भी कुछ बात की है। यह जो दुघटना हुई है इस का कारण दिया गया है कि रेलगाड़ी तेज रफ्तार से चल रही थी और रेल मंत्री जी कहते हैं कि नियम-अनुसार ३० मील की रफ्तार से इस इंजिन को नहीं चलना चाहिये था। उन का कहना है कि तेज रफ्तार से चल रही थी लेकिन उन के वक्तव्य से यह प्रकट नहीं होता कि कितनी तेज रफ्तार से चल रही थी। जहां तक मेरी जानकारी है, और मैं ने रेलवे कर्मचारियों से बात चीत कर के पता लगाया है, जहां तक मेरा अनुमान है, रेल गाड़ी १२ मील प्रति घंटे की रफ्तार से चल रही थी। जिस स्टेशन से रेल गाड़ी चली, अगर आप उस का हिसाब लगाय कि कितने घंटे पर रेलगाड़ी वहां पहुंची, कितने बजे वहां पहुंची और कितने बजे वहां से छूटी तो आप को सारी बातें मालूम हो जायेंगी। यह दुर्घटना

किसी रेलवे स्टेशन पर नहीं हुई थी, बीच में हुई थी। बहरहाल सवाल यह उठता है कि यह रेलगाड़ी अगर तेज रफ्तार से चल रही थी तो क्यों चल रही थी। अगर यह मान लिया जाये कि रेलगाड़ी तीस मील की रफ्तार से चल रही थी तो क्यों चल रही थी? क्या रेल गाड़ी लेट थी? कितनी लेट थी? क्या ड्राइवर को आदेश दिया गया था कि रेलगाड़ी तेज रफ्तार से चलाई जाय।

13.58 hrs.

[SHRI JAGANATHA RAO *in the Chair*]

रेलगाड़ी में जो मुसाफिर थे, मैं ने उन से भी बात की थी और उन्होंने कहा कि रेलगाड़ी तेज रफ्तार से नहीं चल रही थी। जिस वक्त दुर्घटना हुई है वहां आस पास खेतों में काम करने वाले लोग भी कहते हैं कि रेल गाड़ी बहुत तेज रफ्तार से नहीं चल रही थी। जहां तक मुसाफिरों का सम्बन्ध है, अगर मुसाफिर किसी गाड़ी में बैठते हैं और यह गाड़ी तीस मील प्रति घंटे के हिसाब से ज्यादा तेज चलती है तो पैसजरों के लिये यह पहचानना कठिन नहीं है कि रेल गाड़ी बहुत तेज चल रही है। अगर उस रेल गाड़ी में बैठे हुए यात्री कहते हैं कि रेल गाड़ी तेज रफ्तार से नहीं चल रही थी। अगर यह मान भी लिया जाये कि तेज चल रही थी तो क्यों चल रही थी? फिर रेल मंत्री जी यह कहते हैं कि ड्राइवर ने ब्रेक लगाया। मैं पूछना चाहता हूं कि ब्रेक क्यों लगाया गया? क्या रेल मार्ग पर कोई बाधा पैदा हो गई थी? बीच में कोई आदमी आ गया, कोई बैलगाड़ी आ गई, कोई और संकट आ गया मार्ग में? फिर ड्राइवर को ब्रेक लगाने की जरूरत क्यों पड़ी?

यहां पर ए० डब्ल्यू० डी० एजिनों की चर्चा की गई। क्या यह बात सच नहीं है कि अगर इस इंजिन पर एक दम से ब्रेक लगा दिया जाये तो इतनी बड़ी दुर्घटना नहीं हो सकती? जो ड्राइवर इन एनजिनों को ले जाते हैं, मैं ने उन से बात चीत की, और उन्होंने कहा कि अगर एक दम से ब्रेक लगा भी दिया जाय, यद्यपि यह स्पष्ट नहीं है कि एक दम से ब्रेक क्यों लगाया गया, लेकिन अगर यह मान भी लिया जाय कि एक दम से ब्रेक लगा दिया गया, तो भी इतनी बड़ी दुर्घटना होने का कोई कारण नहीं है। मैं चाहूंगा कि रेल मंत्री जी इन बातों पर प्रकाश डालें। केवल इतना कहने से काम नहीं चलेगा कि गाड़ी तेज रफ्तार से चल रही थी, ड्राइवर ने ब्रेक लगा दिया और गाड़ी पटरी पर से उतर कर चली गयी। इस संबंध में रेल मंत्री जी का वक्तव्य तथ्यों पर प्रकाश नहीं डालता। रेलवे इंस्पेक्टर की जांच पर विश्वास करके हम नहीं बैठ सकते।

14 hrs.

मैं यह भी जानना चाहूंगा कि क्या यह सच नहीं है कि रेलवे ड्राइवरों को गाड़ी को तेज रफ्तार से चलाने के लिये प्रोत्साहित किया जाता है? रेलवे गजट देखने से पता चलता है कि ड्राइवरों को इस बात के लिए इनाम दिये जाते हैं कि वे गाड़ी को तेज रफ्तार से ले गये और मैं एक ऐसा मामला भी जानता हूं कि जिस में एक ड्राइवर के खिलाफ इसलिये कार्रवाई की गई कि वह गाड़ी लेट हो गई थी। यह कहा गया कि तेज रफ्तार से चलाओ तो उस ने कहा कि मैं बूढ़ा हो गया हूं, मैं तेज रफ्तार से नहीं ले जा सकता यह मेरी शक्ति में नहीं है तो उस रेलवे ड्राइवर के खिलाफ कार्रवाई की गयी। अगर आप रेलवे ड्राइवरों को इसलिये प्रोत्साहन देंगे कि वे गाड़ियों को तेज रफ्तार से चलायें तो फिर दुर्घटनाओं से नहीं बचा जा सकता।

मैं यह भी जानना चाहूंगा कि क्या यह सच नहीं है कि यह इंजिन जिस ट्रैक पर चल रहा था वह ट्रैक इतने इंजिन का बोझा नहीं सह सकती थी। यह ट्रैक ९० पाउंड की थी जबकि इस प्रकार के इंजिन के लिए १२६

[श्री वाजपेयी]

पाउंड की ट्रेक होनी चाहिये । क्या इस बात का पता लगाया गया है कि इस ट्रैक की ठीक से जांच नहीं की गई थी । मुझे पता चला है कि पिछले तीन साल से इस लाइन पर ट्रैक रिकार्डिंग नहीं किया गया है । हस ट्रैक रिकार्डिंग मशीन के द्वारा ट्रैक की छान बीन की जाती है, पर यह पिछले तीन साल से नहीं की गई थी । डी० एस० की स्पेशल भी इस लाइन पर कई महीने से नहीं पहुंची । मैं मंत्री जी से जानना चाहूंगा कि तथ्य क्या हैं ? और यदि ट्रैक खराब थी तो रेलवे का जो ड्राइवर मारा गया उस के माथे पर सारा दोष थाप कर रेलवे मंत्री और रेलवे प्रशासन अपनी जिम्मेदारी से नहीं बच सकते ।

सभापति जी, मैं यह कहना चाहता हूं कि अगर गाड़ी तेज रफ्तार से चल रही थी और ड्राइवर को ब्रेक लगाना था तो हमें यह नहीं भुलना चाहिये कि वह अनुभवी व्यक्ति था और अगर इंजिन को ब्रेक लगान से गाड़ी के लौट जाने और मुसाफिरों और ड्राइवर के मारे जाने की आशंका होती तो वह ऐसा कभी न करता क्योंकि कोई भी ड्राइवर अपनी जान की और यात्रियों की जान की चिन्ता किये बगैर नहीं रह सकता और अगर एक दम से ब्रैक लगाने से गाड़ी के उलट जाने की सम्भावना हो तो ड्राइवर इस को जान सकता है ।

मैं यह भी जानना चाहूंगा कि क्या इस ट्रैक पर गाड़ी ले जाने से पहले ड्राइवर में शिकायत नहीं की थी कि यह ट्रैक ठीक नहीं है, इस में मुझे कठिनाई का अनुभव होता है । आप का आज तो ऐसा कहना सरल है कि ऐसी कोई शिकायत नहीं की गयी । मगर मुझे छान बीन से पता लगा है कि इस तरह की शिकायतें पहले ड्राइवरों न की थीं मगर कोई कारंवाई नहीं की गई, ट्रैक की जांच पड़ताल नहीं की गई और इस का परिणाम यह है कि यह दुर्घटना हमारे सामने आ गयी ।

मैं यह भी जानना चाहूंगा कि क्या यह सच नहीं है कि इंजिनों के फेल होने की ठीक रिपोर्ट नहीं की जाती । क्या यह सच नहीं है कि शैड से डिफेक्टिव इंजिन दिये जाते हैं और क्या यह सच नहीं है कि अगर कोई ड्राइवर शिकायत करता है कि यह इंजिन खराब है मैं इस को नहीं ले जाऊंगा तो उस के खिलाफ कार्रवाई की जाती है । मुझे मालूम है कि एक ड्राइवर को ऐसे डिफेक्टिव इंजिन की शिकायत करने के लिये और उसे न ले जाने के लिये चार्जशीट दिया गया ।

श्री जगजीवन राम : मैं इस केस को जानना चाहूंगा ।

श्री वाजपेयी : मैं इस मामले को आप के सामने रखूंगा ।

श्री स० मो० बनर्जी : ऐसी शिकायतें बहुत हैं ।

श्री वाजपेयी : मैं अपने भाषण को समाप्त करते हुए अन्त में यही मांग करूंगा कि इन रेल दुर्घटनाओं की अदालती जांच की जाये । रेलवे की विभागीय जांच या सरकार के दूसरे मंत्रालय से संबंधित अधिकारी की जांच जनता में पैदा हुए संदेहों को दूर नहीं कर सकती ।

मैं ने रांची एक्सप्रेस के सम्बन्ध में कुछ नहीं कहा है यद्यपि उस के बारे में भी कहने की बहुत सी बातें हैं ; लेकिन मैनपुरी दुर्घटना के सम्बन्ध में जो तथ्य सामने आये हैं उन के आधार पर मैं कह सकता हूं कि रेलवे प्रशासन तथ्यों को छिपाने की कोशिश कर रहा है । सही बात किसी के सामने नहीं आने देना चाहता और इस प्रकार अपने पापों पर परदा डालना चाहता है । इसलिए मेरा निवेदन है कि जब तक इस मामले की अदालती जांच नहीं होगी रेलवे प्रशासन जनता के जीवन के साथ खिलवाड करने के अपने दोष से नहीं बच सकता ।

अभी मेरे मित्र श्री राजेन्द्र सिंह ने कहा कि श्री लाल बहादुर शास्त्री द्वारा दिये गये त्यागपत्र के उदाहरण का अनुकरण करते हुए हमारे वर्तमान रेल मंत्री जी त्याग पत्र दें। लेकिन उन से ऐसी आशा नहीं है, यद्यपि यह त्याग पत्र देने का समय है क्योंकि चुनाव आ रहे हैं। जिस समय श्री शास्त्री ने त्यागपत्र दिया था उस समय कहा गया था कि हम स्वस्थ लोकतंत्री परम्पराएं कायम कर रहे हैं और उस का ढिंढोरा पीटा गया था। उस समय प्रधान मंत्री जी ने सदन में खड़े हो कर कहा था :

"I do feel, from constitutional propriety, that we should set an example in this matter."

शास्त्री जी ने त्यागपत्र दिया तो कहा गया कि हम उदाहरण उपस्थित कर रहे हैं, यद्यपि प्रधान मंत्री जी ने कहा था कि शास्त्री जी किसी पुल के टूट जाने के लिए व्यक्तिगत रूप से जिम्मेवार नहीं हैं। मैं जानना चाहूंगा कि अब वे लोकतंत्री परम्पराएं कहां गयीं, रेलवे मंत्री उस उदाहरण का अनुगमन क्यों नहीं करते अपने प्रशासन और रेलवे कर्मचारियों की कमजोरियों के लिए और यात्रियों की जिन्दगी के साथ खिलवाड़ करने के लिए। रेलवे मंत्री जी के लिए सम्मानजनक रास्ता यही है कि वे इस समय अपने पद से त्याग पत्र दे दें और उस से पहले इन दुर्घटनाओं की अदालती जांच का आदेश दें।

सरदार अ० सिंह सहगल (जंजगीर) : सभापति महोदय, माननीय रेलवे मंत्री महोदय ने रेलवे दुर्घटनाओं के बारे में अपना वक्तव्य दिया है। मैं बड़े अदब से उन का ध्यान उस रेलवे डीरेलमेंट की ओर दिलाना चाहता हूं जो कि १५ अक्तूबर सन् १९६१ को भवनाटंक और खुनसरा के बीच साउथ ईस्टर्न रेलवे में हुआ। इस के मुताल्लिक मैं ने एक पत्र माननीय मंत्री जी को लिखा, एक पत्र चेयरमैन रेलवे बोर्ड को लिखा और एक पत्र जनरल मैनेजर, साउथ ईस्टर्न रेलवे, को लिखा। मैं ने उस में यह दर्शाया था कि एक्सीडेंट होने के बाद ४१ घंटे तक मुसाफिरों को वहां पड़ा रहना पड़ा। वहां पर मुसाफिरों को शान्त रखने के लिए जिस प्रकार कार्य किया गया था उस के लिए वहां के स्टेशन मास्टर आदि गवाह हैं। यही नहीं आप के अफसर दलाल साहब भी बतला सकते हैं कि मुसाफिर किस कदर ऐजीटेटेड थे और उन को संभालना और काबू में रखना एक कांग्रेसी होने के नाते और इस मुल्क की जनता का एक व्यक्ति होने के नाते और जो डिमाक्रेसी आज चल रही है उसके नाते मेरा कर्तव्य हो गया था। मुसाफिर लोग गाड़ियों को जला देना चाहते थे वे इतने ऐजीटेटेड हो गये थे। मैं ने और मेरे कुछ अन्य मित्रों ने उन को समझाया कि आखिर एक्सीडेंट हुआ करते हैं और गलती हो जाया करती है।

मैं निवेदन करना चाहता हूं कि १५ अक्तूबर को एक्सीडेंट हुआ और १७ तारीख को १० बजे खोड़ी से गाड़ी वहां से जाती है बिलासपुर के लिए। मैं माननीय मंत्री महोदय से प्रार्थना करूंगा कि इस की तहकीकात करें और देखें कि इतनी देर क्यों लगायी गयी। जो इंजिनियर वहां पर मौजूद थे उन्होंने मौके पर बताया कि गाड़ी १६ को ही ६ बजे, फिर उसके बाद ९ बजे रात को जायेगी फिर उसके बाद ३ बजे रात को रीजनल सुपरिन्टेन्डेन्ट साहब से टेलीफोन पर बात करनी चाही क्योंकि हम उन को स्थिति बताना चाहते थे। लेकिन उन से बात करने का अवसर टेलीफोन आपरेटर ने नहीं दिया। आप तहकीकात करेंगे तो आप को मेरी बात की सचाई का पता लगेगा। मैं आप से अर्ज करना चाहता हूं कि ऐसे समय में हर एक का कर्तव्य हो जाता है कि जल्दी से जल्दी लोगों को सहायता पहुंचायी जाये। ऐसे समय में बहुत समझदारी से काम लेना चाहिए और अपने कर्तव्य का पूरी तरह पालन करना चाहिए। ऐसा नहीं होना चाहिए कि ऐसा स्टेटमेंट दे दिया जाये कि लोग और भड़क उठें। मैं समझता हूं कि ऐसे मौकों पर बिना किसी देर के मंत्रालय को इन कठिनाइयों

[सरदार अ० सिं० सहगल]

को दूर करने के लिए सामने आना चाहिए और स्थिति को समझ कर कदम उठाना चाहिए । और मंत्रालय जब आगे आता है तो हमें देखना चाहिए कि कहां तक यह चीज ठीक है । प्रेस में दौड़ जाना और वहां पर अपनी ही बात को रखना मैं समझता हूं आजकल के जमाने में अच्छी चीज नहीं है । हम प्रजातंत्रीय सिद्धान्तों पर चल रहे हैं और इन सिद्धान्तों को देखते हुए कोई ऐसी चीज की जाये तो वह अच्छी नहीं होगी ।

इन सब बातों को देखते हुए हमारा यह पहला फर्ज होना चाहिए कि हम देखें कि दरअसल वे क्या कारण थे कि जिन की वजह से ये डिरेलमेंट हुए, क्या कहीं पर कोई फिशप्लेट्स तो नहीं निकाली गई है या जो हमारे ज्वाइंट्समैन हैं, उन की गलतियों की वजह से तो ये नहीं हुए हैं ? ये सब चीज हैं जिन की तरफ हमें ध्यान देना है । हमारे यहां के जो पदाधिकारी हैं, वे पहले इन बातों की तहकीकात करते हैं और उन को यह करना भी चाहिए ।

यहां पर यह मांग की गई है कि ज्यूडिशल इनक्वायरी होनी चाहिए । मैं समझता हूं कि अगर ज्यूडिशल इनक्वायरी की जरूरत होगी तो हमारे माननीय मंत्री जी उसको करवाने में कभी भी पीछे नहीं रहेंगे और खुद ही आगे आ कर कहेंगे कि ज्यूडिशल इनक्वायरी हो । लेकिन होता यह है कि जब थोड़ी सी बात को हम आगे बढ़ा देते हैं तो बहुत झंझट में पड़ जाते हैं । इन सब चीजों से बचने के लिए मैं समझता हूं कि हम ठंडे दिमाग से काम लें और यह देखें कि जो कुछ भी हुआ है उस में दरअसल मंत्रालय की कितनी गलती है ।

मेरे एक माननीय मित्र ने कहा है कि शास्त्री जी ने इस्तीफा दे दिया था जब कोई एक्सीडेंट हुआ था । मैं समझता हूं कि अपने अपने काम करने के तरीके होते हैं । उन्होंने देखा होगा कि वे इस चीज को बरदाश्त नहीं कर सकते हैं, इस वास्ते उन्होंने इस्तीफा दे दिया । इसी आधार पर जितने भी मंत्रालयों के लोग हैं उन सभी को अगर आप कहेंगे कि वे इस्तीफा दे दें तो मैं समझता हूं कि एक गलत चीज होगी । इस तरह से कोई भी सरकार नहीं चल सकती है ।

अन्त में मैं यही कहना चाहता हूं कि इन सारी चीजों पर आप गौर करें और जो बातें मैं ने रखी हैं, उन की तहकीकात करने की कृपा करें ।

Shri Tangamani: Mr. Chairman, Sir, when the Session commenced on the 20th of November, the hon. Minister was pleased to lay a statement expressing his concern. The House was also concerned and we all expected that the discussion will be initiated by the hon. Minister himself. I am very sorry to say that this discussion had to be initiated by some of the hon. Members of this House.

Since the first accident took place on the 20th October, several newspapers have come out with editorial comments about the weak controlling of this administration; and the latest one is the editorial in *The Hindu* of Madras, dated the 30th November, 1961. For want of time I only request the hon. Minister and the Railway Board to go through this very carefully. One of the demands that have been made is not only for a judicial enquiry but also for an enquiry by a high-power committee to consider—

> "How far is track maintenance adequate to the extra pressures to which tracks have been subjected because of heavier engines and the vastly increased traffic?" and
>
> "An independent committee consisting of senior Members of Parliament, retired officials and representative public men, with special reference to travel safety and operational efficiency".

This is more or less the gist of the demand. This has also been demanded by those who wanted this discussion to start. We wanted to discuss the need for the appointment of a high-power committee to go into the working of the Railways with particular reference to accidents and difficulties of administration; the need for judicial enquiry into the accidents referred to in the Statement; and the need to create a reassuring climate in the country regarding the efficient working of the Railways.

In 1956 when the Ariyalur accident took place, there was a judicial enquiry. I am very sorry to say that most of the points which were referred to by the Judge in that judicial enquiry have not been rectified or taken up seriously by the Railway Administration. That will be my first submission. That is a serious omission and serious error on the part of the Railway Administration.

Then the Shahnawaz Khan Committee was appointed. In their report also they had mentioned that there is a heavy percentage of overdue wagons, locomotives etc. on the line. I think it is in paragraph 168. And in paragraph 138 they say that there was regular want of repair materials. These things do continue even to this day. That is why, for going into the entire question in detail, I want that there should be a judicial enquiry, on the three major accidents that took place, on the 20th October, the 29th October and the 9th November, taking the death toll to 76. That, more or less, is the record which was created in 1957-58.

Coming to the accidents, many of the Calcutta papers, irrespective of their political affiliations, have published in detail the evidence given by some of the passengers themselves. That may be taken into consideration. One point to which the hon. Member, Shri Vajpayee also referred, is the death of such an experienced driver like A. V. Rao, with 30 years of service. He had to lay down his life. This very engine WP7354 has been subjected to severe criticism, shall I say, or severe strictures by eminent locomotive drivers. I have got the names of all these people. They have complained about this very engine and this has been always known as 'the mad engine'.

Shri Ranga (Tenali): Will the hon. Minister enlighten us whether this engine is still put into service?

Shri Jagjivan Ram: It has been more or less dismantled for the examination of the Inspector.

Shri Tangamani: There are the different Schedules. Schedule I is about what has happened after the locomotive has travelled 2,000 miles; Schedule II is what has happened after 6,000 or 10,000 miles; and there is the MOH about what has happened after it has travelled 50,000 miles. May I know whether any of these have been followed in the Kharagpur Loco Shed or any of the Loco Sheds? That has got to be gone into in great detail.

Shri Ranga: In regard to other engines also.

Shri Tangamani: Having said this, I want to disabuse the minds of people of sabotage. The Mover of this Motion also stated that sabotage is not possible. It is on record that first class passengers travelling by this train had said that there was no indication of that. There is also the evidence of the RMS employees. They have said that they were carrying valuables and there was no attempt to loot. Shri S. V. Ramaswami himself has stated that 15 minutes before this train passed this particular point there was a train which had gone. There are about 280 yards before we come to the main road. The preliminary enquiry has tried to divert the attention of people by saying that there was sabotage. Is it not a case of riveted rails? I would like to know whe-

[Shri Tangamani]

ther they were wooden sleepers or steel sleepers. We have to disabuse our minds of the question of sabotage because this does not appear to be the intention, economic or political—whatever it is.

About the second accident I do share the feeling of the hon. Minister. In this accident about 16 pilgrims from Ceylon were killed. I am sure, the sentiments expressed by the hon. Minister would be appreciated by the people of Ceylon. This happened in a passenger train.

Another thing which I would like to mention is the way these locomotives are maintained and the conditions of the track. Then, in the case of the second accident and the third accident, there has been this telescoping. In other words, the bogies that were being used were not integrated bogies—integral coaches. How long are we going to use these trains and old carriages which, when telescope, take a heavy toll of human lives? By what time are we going to replace them? It is on record now that as a result of telescoping, a large number of people have been killed. This is a point on which I want a categorical reply. Naturally the hon. Members are very angry. 75 people were killed between 20th October and 9th November; it is a very serious thing and we do not want the record to go beyond 76 by the end of this year. I also want to refer the hon. Minister to certain statements made by responsible members of the legislature in Bengal. One such statement was made by Narayan Chaudhuri, an M.L.A. representing Kharagpur. That may be gone into. Several hon. Members referred to the question of the resignation of the Minister or Ministers. Resignation alone would not solve the problem. In 1956, an hon. Minister resigned and we were all very happy that at least the hon. Minister resigned and the Prime Minister made a reference to this. But even after the resignation things do not appear to have changed very much. That is the real point. How far are we going to tone up this administration and also take into confidence the views of those brilliant men who had to lay down their lives—Shri A. V. Rao and others, very senior men working in the locos. In this connection I say—though with some hesitancy—let the members of the Railway Board spend more time in India than outside. Instead of taking trips to the other countries, let them go and spend time in various loco sheds and workshops. Let not Kharagpur be repeated in Golden Rock, in Perambur. If you go into the whole question, you will know that the very things which had been raised in the Shahnawaz Khan Committee still continue in many of the workshops.

In conclusion, I feel that it is necessary that a judicial enquiry is ordered into these three major accidents. It is also necessary that a high-powered committee should go into the whole question of accidents and to tone up the administration. In conclusion, I would like to say, as *The Hindu* has mentioned in its editorial, that the assurances of the Minister had not allayed the fears of the MPs. We want to be told categorically as to what he proposes to do beyond what he has already stated when he laid the statement on the 20th of last month at the beginning of this session.

Shri S. M. Banerjee: Mr. Chairman, I associate myself with the sentiments expressed by my hon. friends Shri Tangamani, Vajpayee and Shri Rajinder Singh. Accidents in the railways, I may say, take place due to failure on the part of the human elements employed on the operation of railway transport of failure of permanent way and signalling equipment or failure of rolling stock. Now another reason had been attributed to the accident: sabotage but in these three accidents I do not think the sabotage theory has been proved nor has anyone been apprehended for the act of sabotage. After the major accident at Mauri,

there was a good atmosphere and there were of course minor accidents. But after some time came the Siliguri accident which Shri Vittal Rao wanted to discuss in this House. After the Siliguri accident, came the Ghatsila accident and then the Mainpuri accident. 75-76 persons have lost their lives. I do not know whether we should demand the resignation of the hon. Minister. It is no use demanding the resignation of the Minister; if we are not interested in his continuing, we should try our best to see he is defeated in the elections. But I would surely ask the hon. Minister to consider very seriously and soberly whether this group of pensioners in the Railway Board should continue any more. After retirement they are allowed extensions because they are very efficient and I do not know whether these accidents are an ugly or glorious manifestation of efficiency in our country. Why should pensioners be allowed to function at the cost of human life? Are we not getting good officers? There are very good officers who could be promoted and asked to do the work with efficiency. But some people are kept on deliberately like this and I do not know why, with what relations, they are getting along like this. I would request the hon. Minister to demand the resignation of the Railway Board members who are responsible directly. The Minister after all is an elected representative and one can make him resign. But the Railway Administration should be geared up. The Railway Board members must behave not in this fashion when the news of the accident appears, they want to wriggle out of it by saying that it is a sabotage. Had it been any other country, when accident after accident appears to be happening, not only the Members of Parliament but the people of the country would have demanded the resignation of the entire cabinet. But we are patient and generally contented. We do not want that people should die and we should be only sorry for it. We are equally sorry for the death of the Buddhist pilgrims.

What has happened to the Shahnawaz Committee report? Here is a glaring instance as to how the recommendations of the Railway Accident Enquiry Committee has been ignored. He was the Chairman of the committee and in para 168 of its report the committee mentioned "heavy percentage of overdue periodical wagons are on line."

What is happening in the coal belts? It is welcome that new lines are laid but they do not take into consideration whether those box wagons or big engines can go in those lines safely. It is true that we are short of wagons and we want more trains. But it is equally necessary to consider whether those lines are capable of bearing those engines and wagons. It is a matter to be considered very seriously.

Much has been said about the Mainpuri accident by my hon. friend Shri Vajpayee and it was said that the train was running at more than 30 miles speed. I have travelled many times in that particular line and I feel that I should be happy that these passenger trains are running at all. Their condition is so bad that it will not be a wonder if on some day those passenger trains did not run at all. I think that we should not attribute motives to the poor driver who must have spent a major portion of his life and his youth, working for the country either as a driver of a particular engine or in some other capacity. If there is a judicial enquiry it will at least prove whether there was sabotage or not and what were the factors which contributed or aggravated the accident. A judicial enquiry is absolutely essential. It is also high time that some committee is appointed which should formulate rules and regulations relating to the safety of the railway transport, and effecting maintenance of the rolling stock and permanent way to a desired standard and for effecting regular inspection over the Railways in respect of safety. The question has been very rightly put by

[Shri S. M. Banerjee]

Shri Tangamani and we do not know what is the answer. If an engine is not working properly and a driver says that he is not going to have that engine, he is given a chargesheet. The hon. Minister wanted such instances. I can give him many instances. If the train is late due to bad coal or due to other reasons, he is asked to go and reach the destination in time. Much has been said in this House about the late running of the trains. The time table has been adjusted in a particular way. Suppose a train starts from Delhi at a particular time. Supposing it is to reach Howrah at 10 A.M., it must reach Howrah exactly at 10 A.M. If the train is late in between, that is not taken into account. The driver should see that train reaches at 10 A.M., whether with less passengers, or more passengers, whether with driver or without driver. Drivers have a genuine complaint that they are made to work like this and certain factors which are responsible for the accidents are not satisfactorily attended to and there is no proper supervision over maintenance of rolling stock.

Of course, we cannot get back the lives of those who have been killed in these accidents; but we should try and see that such accidents do not take place in future. I once again associate myself with the sentiments expressed by my hon. friends and earnestly request the hon. Minister to consider seriously whether this group of pensinoners should be allowed to be in the Railway Board or whether they should not be made to resign and that will be good for the railway employees, whether of class II or class III, because they cannot share the responsibility of the Board.

Mr. Chairman: The House will now take up Private Members' Business.

Shri T. B. Vittal Rao: I have a submission to make. In view of the important nature of the discussion, I request that more time may be allotted for this, because many more Members want to participate. We need not adhere rigidly to the rules.

Mr. Chairman: That will be considered the next day by the Speaker.

14.32 hrs.

HINDU SUCCESSION (AMENDMENT) BILL*

(INSERTION OF NEW SECTION 23A) BY SHRI AJIT SINGH SARHADI

Shri Ajit Singh Sarhadi (Ludhiana): I beg to move for leave to introduce a Bill further to amend the Hindu Succession Act, 1956.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Hindu Succession Act, 1956."

The motion was adopted.

Shri Ajit Singh Sarhadi: Sir, I introduce the Bill.

FILM INDUSTRY WORKERS (IMPROVEMENT OF WORKING CONDITIONS) BILL*

BY SHRI GORAY

Shri Goray (Poona): Sir, I beg to move for leave to introduce a Bill to provide machinery for fixation of wages and for improvement of working conditions of workers in the Film Industry.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill to provide machinery for fixation of wages for improvement of working conditions of workers in the Film Industry."

The motion was adopted.

Published in the Gazette of India, Extraordinary Part II—section 2 dated

Shri Goray: Sir, I introduce the Bill.

COIR INDUSTRY (AMENDMENT) BILL*

(AMENDMENT OF SECTIONS 10, 20, 21 AND 26) BY SHRI S. C. SAMANTA

Shri S. C. Samanta (Tamluk): Sir, I beg to move for leave to introduce a Bill further to amend the Coir Industry Act, 1953.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Coir Industry Act, 1953."

The motion was adopted.

Shri S. C. Samanta: Sir, I introduce the Bill.

ALL INDIA AYURVEDIC UNIVERSITY BILL*

BY SHRI A. T. SARMA.

Shri A. T. Sarma (Chatrapur): Sir, I beg to move for leave to introduce a Bill to provide for the establishment of an All India Ayurvedic University under the aegis of the Government of India with a view to resuscitate and encourage the study and growth of the science of Ayurveda in India.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill to provide for the establishment of an All India Ayurvedic University under the aegis of the Government of India with a view to resuscitate and encourage the study and growth of the science of Ayurveda in India."

The motion was adopted.

Shri A. T. Sarma: Sir, I introduce the Bill.

CIVIL AVIATION (LICENSING) BILL*

BY SHRI AMJAD ALI

Shri Amjad Ali (Dhubri): I beg to move for leave to introduce a Bill to provide for the licensing of certain flying and to repeal relevant sections of the Air Corporations Act, 1953.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill to provide for the licensing of certain flying and to repeal relevant sections of the Air Corporations Act, 1953."

The motion was adopted.

Shri Amjad Ali: Sir, I introduce the Bill.

14.35 hrs.

RESTORATION OF PLACES OF RELIGIOUS WORSHIP BILL—*contd.*

BY SHRI PRAKASH VIR SHASTRI

Mr. Chairman: The House will now proceed with the further consideration of the following motion moved by Shri Prakash Vir Shastri on the 1st September 1961:—

"That the Bill to provide for the restoration of places of religious worship in the possession of certain persons or communities to the original rightful owners thereof be taken into consideration."

The time allotted for this Bill is one hour and thirty minutes; time already taken is one hour and 31 minutes. May I know if any other hon. Member wishes to speak?

श्री प्रकाशवीर शास्त्री (गुड़गांव) : सभापति जी, मैं इसके लिए विधिवत् प्रस्ताव

Published in the Gazette of India, Extraordinary Part II-Section 2 dated 2-12-61.

[श्री प्रकाशवीर शास्त्री]

उपस्थित करता हूं कि इस विधेयक के लिए समय एक घंटा और बढ़ा दिया जाए क्योंकि बहुत से मेम्बरों को इस पर बोलना है, मिनिस्टर साहब को बोलना है और मुझे भी उत्तर देना है । तो इसके लिये कम से कम एक घंटा समय बढ़ा दिया जाए ।

Mr. Chairman: What time will the hon. Minister take?

The Minister of State in the Ministry of Home Affairs (Shri Datar): About fifteen to twenty minutes.

Mr. Chairman: We may extend the time by half an hour. I take it, it is the sense of the House; no formal motion is necessary.

Dr. K. B. Menon (Badagara): Mr. Chairman, Sir, I listened carefully to the speech of Mr. Prakash Vir Shastri. I could not follow it very well, because it was in Hindi. I studied the synopsis of the proceedings. It was a good piece of research, but a bad piece of legislation, ill-timed and ill-conceived. Introduction of such a piece of legislation only deters the progress of integration.

We gained our freedom in 1947. We are still in a formative period and the process of reconstruction and rebuilding has to be done very cautiously and every step must be carefully taken. In the matter of material progress I feel that we have done fairly well; in the matter of social reconstruction our record is not very satisfactory. The riots that we had after freedom have brought in disharmony among religious groups in North India. The S. R. C. Report has brought about discord, rivalry and jealousy among the linguistic groups in the various States. Both these factors have arrested the progress of integration. They have not only arrested the progress of integration; they have also created and thrown out new problems for the young democracy.

Now we have large minorities of Muslims and Christians. Both these are the off-shoots of one of the greatest religions of the world—Judaism. In the new set-up of free India we must understand that these minorities have new aspirations, new ideas and new responsibilities. If the idea of our democracy is to set up a secular State, it should be our aim and endeavour to give these minorities opportunities for self-expression. We accept that the past is certainly with us. The past, however, should not be allowed to prove a liability. It is for us to mould the past in order to make the present more useful. It is a fact that we had the Muslim invasion in 1206 which began with Qutb Ud Din. It is also a fact that many things done in the flush of conquest, if raked up today, will seem very unpleasant. Hindu temples may have been converted to mosques; or mosques may have been converted into Hindu temples. The suggestion of exchange after centuries appears to be very fantastic. What I would suggest is that Hindu temples which were converted into mosques and maintained as mosques today, and the mosques which were converted into Hindu temples and which are maintained as Hindu temples must both be allowed to survive as reminders to the present generation of the sins of our forefathers, Hindus and Muslims. Therefore, to assess responsibility and then to allocate it back, is not, to me, the best thing to do under the present conditions. Integration is a process of slow growth, and in attempting to help integration, we should be sympathetic and we should be understanding and we should be responsible, and then only a national integration can be expected. I therefore oppose the Bill.

श्री अ० मु० तारिक (जम्मू तथा काश्मीर) : जनाब चैयरमैन साहिब, जहां

तक इस बिल का ताल्लुक है यह जाहिर है कि मैं इसकी हिमायत नहीं कर सकता और हिमायत करना भी मैं अपने लिए एक तौहीन का बायस समझता हूं ।

मैं इस बिल को नहीं समझ सका और यह नहीं समझ सका कि इसे कैसे और किस मकसद के लिए कबूल किया गया है बहस के लिए । मैं इस बिल को बुनियादी तौर पर हिन्दुस्तान की जम्हूरी आईन और हिन्दुस्तान के इस उसूल के कि यहां पर सैक्युलर गवर्नमेंट है और यहां के तमाम लोगों को बिला लिहाज मजहब और मिल्लत के रहने का हक है, उनको अपने अपने मजहब की आजादी है, खिलाफ़ समझता हूं । अगर इस हाउस में कोई ऐसा बिल नहीं आ सकता है जिसका माना यह हो कि लोगों का उस बिल के जरिये, मजहब तबदील कराया जाए क्योंकि मजहब की तबलीग और जबरन किसी शख्स का मजहब तबदील करना हमारे आईन के खिलाफ़ है, तो यह जो बिल लाया गया है यह भी नहीं आ सकता । मैं इस बिल में और उस किस्म के बिल में कोई फर्क नहीं समझता हूं ।

अगर आज यह कहा जाता है कि आज से चन्द सौ सोल पहले जो अबादतगाहें किसी न किसी वजह से किसी और मजहब के रंग में तबदील की गई थीं, चाहे वे मस्जिदों की शक्ल अख्तयार कर गई हों, गिरजों की शक्ल अख्तयार कर गई हों, गुरुद्वारों की शक्ल अख्तयार कर गई हों, उनको दुबारा उन मजहब वालों को लौटा दिया जाए तो यह वही बात होगी कि इस एवान के मेम्बर अली मुहम्मद तारिक जो आज मुसलमान हैं और जिसके आबाजो अजदाद ने जो कि किसी जमाने में हिन्दू थे डर की वजह से या किसी जब्र के तहत या किसी और वजह से उन्होंने इस्लाम को कबल किया, लिहाजा अली मुहम्मद तारिक को हिन्दुस्तान के आज के जम्हूरी आईन में फिर से हिन्दू बना दिया जाए । मैं जो बिल लाया गया है, उस में और दूसरा जो हिन्दू बनाने के बारे में बिल नहीं लाया जा सकता है, उस में कोई फर्क महसूस नहीं करता हूं ।

मुझे इस बात का इंतिहाई अफसोस है और यह बात मेरी समझ में नहीं आई है कि इस बिल को किन बुनियादों पर इस हाउस ने मंजूर किका है, बहस करने के लिए मैं समझता हूं कि इस बिल का मकसद सिवाय इसके कुछ नहीं है कि हिन्दुस्तान में फिरका परस्ती को, मजहबी झगड़ों को अज सिरे नौ जगाया जाए और ऐसी शक्ल दी जाए . . .

श्री बलराज मधोक : आप फिरका-परस्त हैं ?

श्री अ० मु० तारिक : मैं फिरकापरस्त हूं या नहीं, इसेको जानने के लिए वक्त चाहिए, लारीब चाहिये, लेकिन इसमें बिल्कुल भी मुबालिगा नहीं है कि आनरेबल मैम्बर सौ फी सदी फिरकापरस्त हैं और फिरकापरस्ती उनका मिशन है ।

इन सब बातों के पेशेनजर और इसके पेशेनजर भी कि हम इस मुल्क को बिला लिहाज मजहब और मिल्लत के, आगे ले जाना चाहते हैं, इस मुल्क को तरक्की की मंजिल की तरफ ले जाना चाहते हैं और हाथ में हाथ ले कर एक दूसरे को साथ लेकर चलना चाहते हैं, इस किस्म का बिल यहां पेश करना किसी लिहाज से भी काबिले तसव्वुर नहीं है ।

जनाब चैयरमैन साहिब मैं आपकी वसातत से सरकार से जानना चाहता हूं कि इस बिल को किन बुनियादों पर इस हाउस में मंजूर किया है और हुकूमत ने किन बुनियादों पर!

श्री म० ला० द्विवेदी (हमीरपुर) : मंजूर नहीं किया है बल्कि यह पेश किया गया है ।

श्री अ० मु० तारिक : पेश तो किया गया है लेकिन पेश करने से पहले हाउस का

[श्री अ० मु० तारिक]

सैक्रेटेरिएट ऐसे बिलों की छानबीन करता है और उन्हें इस बहस के लिए मंजूर करता है। मैं समझता हूं कि यह बिल इस काबिल भी नहीं था कि इसको इस हाउस की तरफ से छापा जाता और मुश्तहर किया जाता। मैं हुकूमत से जानना चाहता हूं कि इस किस्म की चीजें जो मुल्क को ग़लत रास्ते पर ले जाने वाली होती हैं, यह सैक्रेटेरिएट या हुकूमत किन बुनियादों पर मंजूर करती है।

इन अलफाज के साथ मैं इस बिल की सख्त लफ्जों के साथ मुखालिफत करता हूं और मैं समझता हूं कि इस बिल को इस ऐवान में लाकर इस ऐवान की तौहीन की गई है।

श्री म० ला० द्विवेदी : आनरेबल मेम्बर ने कहा है कि इसको मंजूर किया है। इसे बिल को कहां मंजूर किया गया है, इस पर तो विचार चल रहा है .....

Mr. Chairman: Order, order. We will know it from the hon. Minister, in his speech.

[شری ع - م - طارق: جناب چیرمین صاحب - جہاں تک اس بل کا تعلق ہے یہ ظاہر ہے کہ میں اسکی حمایت نہیں کر سکا اور حمایت کرنا بھی اپنے لئے ایک توہین کا باعث سمجھتا ہوں -

میں اس بل کو نہیں سمجھ سکا اور یہ نہیں سمجھ سکا کہ اسے کیسے اور کس مقصد کے لئے قبول کیا گیا ہے بحث کے لئے - میں اس بل کو بنیادی طور پر ہندوستان کے جمہوری آئین اور ہندوستان کے اس اصول کے کہ یہاں پر سیکولر گورنمنٹ ہے اور یہاں کے تمام لوگوں کو بلا لحاظ مذہب و ملت کے رہنے کا حق ہے - انکو اپنے اپنے مذہب کی آزادی ہے - خلاف سمجھتا ہوں - اگر اس ہاؤس میں کوئی ایسا بل نہیں آ سکا ہے جس کے معنی یہ ہو کہ لوگوں کا اس بل کے ذریعے مذہب تبدیل کرایا جائے کیونکہ مذہب کی تبلیغ اور جبراً کسی شخص کا مذہب تبدیل کرنا ہمارے آئین کے خلاف ہے تو یہ جو بل لایا گیا ہے یہ بھی نہیں آ سکتا تھا - میں اس بل میں اور اس قسم کے بل میں کوئی فرق نہیں سمجھتا ہوں -

اگر آج یہ کہا جاتا ہے کہ آج سے چند سو سال پہلے جو عبادت گاہیں کسی نہ کسی وجہ سے کسی اور مذہب کے رنگ میں تبدیل کی گئی تھیں چاہے وہ مسجدوں کی شکل اختیار کر گئی ہوں - گرجوں کی شکل اختیار کر گئی ہوں - گرودواروں کی شکل اختیار کر گئی ہوں - انکو دوبارہ ان مذہب والوں کو لوٹا دیا جائے تو یہ وہی بات ہوگی کہ اس ایوان کے ممبر علی محمد طارق جو آج مسلمان ہیں اور جس کے آبا و اجداد جو کہ کسی زمانے میں ہندو تھے اور ڈر کی وجہ سے یا کسی جبر کے تحت یا کسی اور وجہ سے انہوں نے اسلام قبول کیا لہذا علی محمد طارق کو

ہیں - اس قسم کا بل یہاں پیش کرنا کسی لحاظ سے بھی قابل تصور نہیں ہے -

جناب چیرمین صاحب - میں آپکی وساطت سے سرکار سے جاننا چاہتا ہوں کہ اس بل کو کن بنیادوں پر اس ہاؤس نے منظور کیا ہے اور حکومت نے کن بنیادوں پر ....

श्री म० ला० द्विवेदी (हमीरपुर) : मंजूर नहीं किया है बल्कि यह पेश किया गया है

شری ع - م - طارق : پیش کیا گیا ہے لیکن پیش کرنے سے پہلے ہاوس کا سیکریٹیریٹ ایسے بلوں کی چھان بین کرتا ہے اور انہیں بحث کے لئے منظور کرتا ہے - میں سمجھتا ہوں کہ یہ بل اس قابل بھی نہیں تھا کہ اس کو ہاوس کی طرف سے چھاپا جاتا اور مشتہر کیا جاتا - میں حکومت سے جاننا چاہتا ہوں کہ اس قسم کی چیزیں جو ملک کو غلط راستے پر لے جانے والی ہوتی ہیں یہ سیکریٹیریٹ حکومت کی بنیادوں پر منظور کرتی رہے -

ان الفاظ کے ساتھ میں اس بل کی سخت لفظوں کے ساتھ مخالفت کرتا ہوں اور میں سمجھتا ہوں کہ اس بل کو اس ایوان میں لا کر اس ایوان کی توہین کی گئی ہے -]

The Minister of State in the Ministry of Home Affairs (Shri Datar): Mr. Chairman, Sir, my hon. friend,

ہندوستان کے آج کے جمہوری آئین میں پھر سے ہندو بنا دیا جائے - میں جو بل لایا گیا ہے اس میں اور دوسرا جو ہندو بنانے کے بارے میں، بل نہیں لایا جا سکتا ہے اس میں کوئی فرق محسوس نہیں کرتا ہوں -

مجھے اس انتہائی افسوس ہے اور یہ بات میری سمجھ میں نہیں آئی ہے کہ اس بل کو کن بنیادوں پر اس ہاؤس نے منظور کیا ہے بحث کرنے کے لئے - میں سمجھتا ہوں کہ اس بل کا مقصد سوائے اس کے کچھ نہیں ہے کہ ہندوستان میں فرقہ پرستی کو - مذہبی جھگڑوں کو ازسرنو جگایا جائے اور ایسی شکل دی جائے...

श्री बलराज मधोक : आप फिरका परस्त हैं?

شری ع - م - طارق : میں فرقہ پرست ہوں یا نہیں اس کو جاننے کے لئے وقت چاہئے - تاریخ چاہئے - لیکن اس میں بالکل بھی مبالغہ نہیں ہے کہ آنریبل ممبر سو فیصدی فرقہ پرست ہیں اور فرقہ پرستی انکا مشن ہے -

ان سب باتوں کے پیش نظر اور اس کے پیش نظر بھی کہ ہم اس ملک کو بلا لحاظ مذہب اور ملت کے آگے لے جانا چاہتے ہیں - اس ملک کو ترقی کی منزل کی طرف لے جانا چاہتے ہیں اور ہاتھ میں ہاتھ لے کر ایک دوسرے کو ساتھ لے کر چلنا چاہتے

[Shri Datar]

Shri Prakash Vir Shastri, has brought forward this Bill, and, as has been made clear from the debate during the last time as also today, this is a highly controversial and also an undesirable piece of legislation that he proposes to Parliament to pass. I may point out that it is perfectly possible to understand what the hon. Member has in view, but the question is whether, at this stage, it would be possible to rewrite or rather to unwrite the whole history. That is the question that we have to take into account.

Before I deal with the merits of this Bill, I should like to point out to my hon. friend a number of difficulties,—constitutional difficulties—that come in the way. The hon. Mover desires that the State Governments should take possession of the places of worship, naturally with all the property attached to them and thereafter to transfer them, according to him, to that person or that community which owkned those particular religious institution formerly. That would take us through a course of research so far as the former istory is concerned. Apart from that, the question is whether, under the Constitution, it is open to the Government to take possession, by force, of certain properties.

My hon. friend has been careful enough not to deal with the question of compensation which aspect also has to be taken into account. In all such cases, either we take the property by private force, if that is possible, and then we subject ourselves to the liabilities to be imposed by a court of law, or . . .

Shri Bal Raj Madhok (New Delhi): Compensation can be paid.

Shri Datar: If the Government also proposes to use its sanctions, that is, to take possession of the property under a piece of legislation that the hon. Member wants this House to pass, what will it lead to? That is a question which has to be considered very carefully, firstly, from the constitutional point of view. Therefore, I may submit that this intended piece of legislation is, to a large extent, expropriatory in character.

Also, another concrete or great principle has been unfortunately violated by my hon. friend, perhaps with good intentions. I am not prepared to impeach his good intentions. That is, a question arises as to whether the title over certain religious places and lands and other properties can be enquired into at all. There is no provision even for enquiry. Assuming such an enquiry has to be made, it has to be done only by the judiciary and not by the executive. What my hon. friend desires us to do is this: all places of religious worship which have been in the past converted, have to be found out and enquired into. This "past" is an indefinite past; perhaps it is the hoary past. Who are to determine what is the past? Who are to determine when the property was taken possession of from one person or one community and made over to another? Therefore, the particular tribunal that can go into this question is naturally a civil judicial tribunal, but the hon. Member desires that the property should be taken possession of forcibly. The words "forcibly taking possession" have been mentioned. As an eminent lawyer, you know that after a certain time, the law of prescription operates. Taking the worst case, under the civil law, if I had been in adverse possession of a particular piece of property for 12 long years, in spite of my adverse act, in spite of my so-called illegal or immoral act, under the law of limitation, I become owner of the property. That may be right or wrong, but so far as the ethical aspect is concerned, we have got the law of prescription or limitation. It says that if a man is owner of a property, he should be vigilant and protect the property from going into the possession of another. It is on this ground that the civil law has laid down that there are certain periods during which if there are laches on

your part and if there is a positive act of an adverse nature on the part f the other, you lose possession of the property.

Apart from the secular nature of the Government, it is perfectly possible that certain forcible dispossessions might have taken place in the past. Assuming that, what is the way in which that particular alleged forcible dispossession has to be relieved against? There are two or three remedies. There are different laws applicable to public institutions and a larger limitation period is allowed to them under section 10 of the Limitation Act.

It is open to an aggrieved person or community to approach the civil court and take necessary action. If there are public trusts, then the law of limitation cannot take operation in the way in which it can do in respect of, say, implied trusts or private trusts. I am not entering into the question of law in general, but my point is whether we might clothe the State Governments with such summary powers. It should be noted very clearly that the Constitution has been based upon certain fundamental principles. The House is aware that taking possession of a property has been regulated by certain provisions laid down in the Constitution. Under these circumstances, is it open to us to pass a law of a summary nature?

Assuming for the sake of argument that 2000 years ago, some property was taken possession of I am not entering into the question of a particular community—an hon. Member from Punjab has pointed out that there are places where mosques have been taken possession of by other communities and they are being used for their own religious purposes. We need not enter into the question of that community or this community. If force has been used and possession has been taken from a person or community, why did that person or community remain silent when the civil courts were there to adjudicate in their favour? This point has to be fully taken into account before we proceed with the merits or otherwise of this particular piece of legislation.

The hon. Member has unfortunately used very wide words in the clauses. He says:

> "All places of religious worship, which have in the past been forcibly taken possession of by persons professing different faiths, shall be liable to be restored."

As some hon. Member pointed out, even within the orbit of one religion itself, there are different sects and different temples. When I was looking into the proceedings, I saw that a reference was made to *Saivite* temples and *Vaishnavite* temples. They are both within the fold of Hinduism. Assuming that one particular sub-community has taken possession of a temple and has been in possession thereof, because the law has to protect the possession after a number of years, in such a case would it be desirable, possible or constitutional to allow the summary taking possession of such a property by the executive of a State Government, as my friend desires?

My first objection in principle is this. Under the civil law of the land, we have got courts of law which will go into questions of a civil nature and settle the matter in respect of private property or public property, in respect of which my friend has made no distinction. So, it would be entirely wrong to have a sweeping Bill covering all private religious places or public religious institutions. Technically, public religious institutions come under Schedule III, which is in the Concurrent List. But public religious institutions have got oftentimes extensive properties. Then, they would come under the State List. In any case, this is not a matter on which the Parliament can legislate, so far as the jurisdiction of the State Governments is concerned.

In any case, as I pointed out, in respect of concurrent jurisdiction, the

[Shri Datar]

practice of Parliament and the Government of India is not to pass any legislation unless we have got the views of the State Governments before us, because this is a matter which mostly concerns them. There are 15 States and this would affect all the 15 States. The Government of India's jurisdiction is confined to a few territories under their direct administration. So, my hon. friend's bill suffers from a number of highly constitutional difficulties.

Coming to the question of merits, as to whether it is worthwhile passing such a piece of legislation, this is likely to lead to what he himself has stated so far as the other context is concerned a sense of irritation. A sense of irritation is either present or past. For example, if 2,000 years ago a temple has been taken possession of by another community—Christian or Muslim—or *vice versa*, can it be stated today that after 2,000 years there is a sense of irritation? (*Interruptions*). My hon. friend can wait. I can understand the sense of irritation, but this will be counter-balanced by a new sense of irritation. Assuming I belong to another religion and I am in possession of a temple for 200 years and if my possession is to be summarily taken away from me, as the hon. Member has suggested, that will lead to not only a sense of personal irritation, but a sense of frustration, so far as my valuable rights are concerned. Whatever they might be, my rights have been perfected by the passage of time.

Under these circumstances, though the hon. Member has made reference to a sense of irritation, that sense of irritation is likely to be unreal and is likely to have passed and a new sense of irritation is likely to lead even to disturbances. He should understand that. After all, we require a peaceful society and a peaceful solution of all questions—personal questions, family questions, social questions, national and even international questions. That is what we have been after. Under these circumstances, it would not be proper, in my opinion, to pass such a sweeping piece of legislation as the hon. Member desires.

15 hrs.

He does not stop there. He says that the State Government ought to make a declaration that so and so property was in the dim past in the possession of a particular community and that thereafter, perhaps after a number of centuries it has remained with the followers of another religion. Now, it has remained with them for some time. In spite of all the research that the hon. Member has made into the history of certain temples or religious institutions, we have to understand the facts as they are. Apart from the question as to whether the Government is a secular government or otherwise, the question remains whether after allowing a thing to remain as it is for a number of not merely decades but centuries, it would be proper, whether it would be advisable, whether it would be desirable to take such an action or to clothe the State Government with such wide powers.

So far as the governments in the States or the government at the centre are concerned, we are a secular government. The government have no religion at all so far as the structure of the governmental machinery is concerned. Under the circumstances, will it be proper—I would put it to my hon. friend—to clothe the present government, in their present structure and their character, with such wide powers so far as the religious institutions are concerned? I can understand a court of law entering into the question because what they do there is that they adjudicate upon civil rights. But here the question arises whether it would be proper to give all these wide powers to a State Government.

The hon. Member has, unfortunately, not followed one of the principles of natural law. When an order has to be passed, as the House knows,

the first principle is that if an order has to be passed against a particular person in the first place he ought to be given a hearing; and, secondly, after the adverse order has been passed, he ought to have some remedy either by way of appeal or by way of revision. These are inherent in the principles of natural justice. Unfortunately, the hon. Member has not even looked into that aspect of the matter at all.

Then, he does not stop there. He says that after the State Government ultimately declares that a particular place is a place of religious worship—I have pointed out the implications—all the properties attached to it also will have to be removed from the possession of one person and handed over to another person. That question also will naturally arise. Further, what the hon. Member wants to do is that in case any particular order has been passed by the State Government then certain penal consequences also should follow, penal consequences as pointed out in clause 5 of the Bill. It says:

> "Whoever intentionally obstructs any person or community in the exercise of the rights conferred by this Act shall be punishable with imprisonment which may extend to one year, or with fine or with both."

Therefore, we have got a penal provision also.

Therefore, I am afraid my hon. friend, whatever his particular motives may be, which we can understand though we might not appreciate, has brought forward a Bill which, as I have stated is highly controversial, is undersirable in its contents, and I am hoping that the hon. Member will not persist in allowing this Bill to be considered by the House and force a division.

श्री प्रकाशवीर शास्त्री : सभापति जी, संसद के पिछले अधिवेशन में जब इस विधेयक को मैं ने उपस्थित किया था तो मेरे मस्तिष्क में देश का वह वातावरण कार्य कर रहा था जिस को आज कल के हमारे नेता भावात्मक एकता के नाम से पुकारते हैं और उसी पृष्ठभूमि में मैं ने इस विधेयक को संसद के सामने उपस्थित भी किया था ।

इस विधेयक को उपस्थित करते समय मैं ने सबसे पहले जानने का यत्न किया कि हमारे देश में हिन्दुओं के अतिरिक्त जो दूसरे सम्प्रदाय हैं उनके कुछ धर्म मन्दिर तो इस प्रकार के नहीं हैं कि जिनको बलात् किसी ने अपने अधिकार में करके किसी दुसरे रूप में परिवर्तित कर दिया हो । मैंने भारत सरकार से इस संबंध में जानकारी चाही और हमारे पुनर्वास मंत्री ने बताया कि पाकिस्तान बनने के पश्चात् जो मस्जिदें और मजार उन लोगों के जो पाकिस्तान चले गये थे पंजाब और दुसरे स्थानों में रह गए थे उनमें अधिकांश उनको वापस किए जा चुके हैं । उन्होंने उन स्थानों की संख्या भी बतलायी । उन्होंने बतलाया कि इस प्रकार के २०,६६६ धर्म स्थान हमने उनको वापस किए हैं । १६ के संबंध में हमारे पुनर्वास मंत्री ने बताया कि बंगाल में अभी कुछ ऐसी मस्जिदें शेष हैं जिनका कोई उत्तराधिकारी बनने को तैयार नहीं हैं इसलिए उनको अभी तक किसी को नहीं दिया जा सका उनका कोई उत्तराधिकारी मिल जाएगा तो उनको भी वापिस कर दिया जाएगा । अपने विधेयक को उपस्थित करते समय मैं ने सरकार को इसके लिए धन्वाद दिया था कि उसने देश में भावात्मक एकता को सुदृढ़ करने के लिए एक अनुकल निर्णय लिया । उसी के साथ साथ मैं ने तस्वीर का दूसरा पहलू भी सदन के सामने उपस्थित किया था । मैंने निवेदन किया था कि जब आपने इतनी बड़ी संख्या में उन धर्मस्थानों को जिनकें दूसरों के हाथ में जाने से उस धर्म के अनुयायियों के हृदय को चोट पहुंचती वापस कर दिया है, तो यह भी आवश्यक

[श्री प्रकाशवीर शास्त्री]

है कि दुसरे धर्म के उन धर्म स्थानों को भी जिनको भूत काल में दूसरे धर्म वालों ने परिवर्तित कर लिया हो वापस कर दिया जाए । और मैंने इसके लिए कुछ उदाहरण भी दिए थे जिनमें एक मथुरा का कृष्ण जन्म मन्दिर है जिस पर आज एक बहुत बड़ी मस्जिद बनी हुई है । जब कोई यात्री मथुरा के स्टेशन पर धार्मिक भावना लेकर जाता है और जानना चाहता है कि भगवान कृष्ण का जन्म कहां हुआ था तो उस स्थान पर इस बड़ी मस्जिद को देखकर उसके हृदय में चोट पहुंचती है ।

इसी प्रकार जब कोई तीर्थ यात्री अयोध्या जाकर भगवान राम का जन्म स्थान देखना चाहता है तो वहां भी एक मस्जिद को खड़ी देख कर उसके मन को ठेस लगती है ।

अभी हमारे मंत्री जी ने बताया कि यह बहुत साधारण सी चीज है इसके लिए इतना बड़ा वातावरण तैयार नहीं करना चाहिए मैं उनसे उदाहरण के रूप में कहना चाहूंगा कि अगर यरूसलम में जहां महात्मा ईसा मसीह का जन्म हुआ था उस स्थान पर जो गिरजाघर बना हुआ है उसको कोई दूसरे धर्म का व्यक्ति अपने अधिकार में लेकर उसके स्थान पर अपने धर्म के अनुसार कोई दूसरा धर्म मन्दिर बनवा दे तो जिस तरह से ईसाई धर्म के अनयायियों को चोट पहुंचेगी उसी तरह हिन्दुओं को इन मन्दिरों के परिवर्तन के कारण चोट पहुंचती है । यदि यरूसलम के गिरजा घर के बजाए किसी दूसरे गिरजाघर को परिवर्तिन कर दिया जाए तो उस धर्म के अनुयायियों को उतनी चोट नहीं पहुंचेगी जितनी कि यरूसलम के गिरजाघर के परिवर्तन से पहुंचेगी क्योंकि उस स्थान पर महात्मा ईसा का जन्म हुआ था । इस प्रकार राम और कृष्ण को इस देश की जनता का एक बहुत बड़ा भाग अपने महापुरूष मानता है और अगर उन स्थानों पर दूसरे मतों के इबादतगाह या मस्जिदें बनी हों तो देश की जनसंख्या के एक बहुत बड़े भाग के हृदय को ठेस लगती है । और इसी दृष्टि से मैं ने चाहा था कि हमारी भारत सरकार जो कि एक धर्म निरपेक्ष सरकार है और किसी के धार्मिक अधिकारी का हनन नहीं होने देना चाहती और सब के धार्मिक अधिकारों को संरक्षण देती है हमारे धर्म स्थानों को वापस दिलवाए । जहां हमारा यह शासन आर्थिक दृष्टि से, सामाजिक दृष्टि से और सभी दृष्टियों से देश के लोगों को संरक्षण देता है वहां एक धर्मनिरपेक्ष शासन होने के कारण उसका यह नैतिक कर्तव्य है कि देश में लोगों को धार्मिक संरक्षण दे और इस प्रकार भावात्मक एकता के लिए अनुकूल वातावरण तैयार करे ।

इसी लिए मैं ने चाहा था कि इस विधेयक के द्वारा इस समस्या का शान्तिपूर्ण ढंग से समाधान हो जाए । इस बात का मैं विशेष रूप से कहना चाहता हूं । पिछली बार इस विधेयक को उपस्थित करते समय मैं ने कहा था कि कनिंघम ने अपनी कलम से लिखा है कि अकेले अयोध्या के राम जन्म मन्दिर को पुन: मन्दिर के रूप में परिवर्तित करने के लिए ७४,००० आदमियों को बालिदान देना पड़ा था । यह मन्दिर तीन बार बना और तीन बार बिगाड़ा गया । मैं यह विशेष रूप से कहना चाहता हूं कि यदि इस प्रश्न का समाधान शान्तिपूर्ण ढंग से नहीं हुआ तो देश में धीरे धीरे ऐसा वातावरण उत्पन्न होगा कि फिर इसका दुसरे ढंग से समाधान किया जाए । लेकिन देश की वर्तमान परिस्थितियों में यही अच्छा है कि इसका समाधान शान्ति-पूर्ण तरीके से किया जाता मुझे इन शब्दों के कहने की आज्ञा दीजिए ।

मैं अपने संक्षिप्त वक्तव्य को समाप्ति की ओर ले जाते हुए बड़ी नम्रता से कहना

चाहता हूं कि हमारी सरकार की यह आदत पड़ती जा रही है कि अगर हिन्दुओं के विपरीत कोई बात कही जाती है तो उसको अल्पसंख्यकों के संरक्षण और अल्पसंख्यक जाति को सुविधा देने के नाम पर तुरन्त स्वीकार कर लिया जाता है, लेकिन अगर कोई बात इस विशाल सम्प्रदाय के संरक्षण की आती है तो उसको साम्प्रदायिक और देश के अन्दर खराब वातावरण पैदा करने वाली कह कर पीछे डाल दिया जाता है । लेकिन मैं निवेदन करना चाहता हूं कि इस देश की जनता अब इसको ज्यादा देर तक सहन नहीं कर सकेगी इसलिए मेरा बहुत नम्रता के साथ अनुरोध है कि जो विधेयक मैं ने उपस्थित किया है यह बहुत न्यायसंगत विधेयक है इसको स्वीकार किया जाय । इसमें मैं ने किसी धर्म विशेष केलिए यह नहीं चाहा कि उसको कोई विशेष सुविधा दी जाए । मैं ने उस समय कहा था कि अगर मुसलमानों की कुछ मस्जिदें हिन्दुओं के कब्जे में हैं तो वे उनको वापिस दे दी जाएं और इसी तरह से ईसाईयों के कुछ धर्म-स्थान दूसरों के अधिकार में चले गए हों, तो वे भी उनको वापिस कर दिये जायें । यही बात मैंन दूसरे धर्मों के बारे में कही थी । जब मैं उनके लिए मांग कर सकता हूं तो म इसके लिए भी दृढ़तापूर्वक मांग कर सकता हूं कि हिन्दुओं के कोई धर्म-स्थान अगर दूसरों के अधिकार में हैं जिससे उस धर्म के अनुयायियों को चोट लगती हैं, तो वे भी वापिस कर दिये जायें । यह बड़ा संगत विधेयक है और और मैं समझता हूं कि सरकार इसको स्वीकार करेगी ।

इन शब्दों के साथ मैं बलपूर्वक कहना चाहता हूं कि इस विधेयक को स्वीकार कर लिया जाए ।

Mr. Chairman: The question is:

"That the Bill to provide for the restoration of places of religious worship in the possession of certain persons or communities to the original rightful owners thereof be taken into consideration."

The motion was negatived.

15.11 hrs.

DELHI RENT CONTROL (AMENDMENT) BILL

(AMENDMENT OF SECTION 14) BY SHRI TANGAMANI

Mr. Chairman: The House will now take up the consideration of the Delhi Rent Control (Amendment) Bill.

Shri Tangamani (Madurai): Mr. Chairman, I beg to move:

"That the Bill to amend the Delhi Rent Control Act, 1958, be taken into consideration."

In the Statement of Objects and Reasons I have briefly explained the purpose for which I have brought forward this Bill. It reads:

"Under the existing instructions relating to the allotment of Government accommodation, a Government servant, who has been allotted Government quarter, is liable to eviction or in default to pay the maximum penal rent as soon as he becomes the owner of the house. On the other hand, under the Delhi Rent Control Act, 1958 (No. 59 of 1958) a landlord who has acquired a house by transfer and requires it for his *bona fide* residence, cannot file an application for the eviction of a tenant unless a period of 5 years has elapsed from the date of acquiring the house. This anomalous position of law has resulted in hardship in a number of cases. Hence this amending Bill."

The purpose is a very limited one. I wanted to find out the exact position from the hon. Minister of Home

[Shri Tangamani]

Affairs. On the 1st of September 1960, in reply to my Unstarred Question No. 1937 the answer that was given to me prompted me to come to this House and give notice of a Bill of this nature on the 4th of November. My question was:

"(a) whether it is a fact that under the Delhi Rent Control Act a person acquiring a house on transfer cannot evict a tenant for a period of five years even though he requires it for his own *bona fide* residence;

(b) whether it is also a fact that a Government servant is not entitled to retain a Government accommodation as soon as he becomes the owner of a house whether by transfer or otherwise; and

(c) if so, how the Government propose to reconcile the anomalous position resulting from the above-mentioned provisions in respect of Government servants?"

The late Shri G. B. Pant was pleased to say in reply that no tenant would be evicted for a period of five years if the landlord comes into possession after the tenancy has been given over to the tenant. In reply to part (b) of my question he answered:

"A Government servant can be allotted or re-allotted Government accommodation in case he is unable to obtain vacant possession of the house acquired by him, his wife, parents or children."

In reply to my question what Government propose to do to reconcile this anomalous position, the reply was :

"Does not arise".

I wanted to find out whether Government servants are evicted by this kind of anomalous position. I approached the Research and Reference Section to find out as to the number of Government servants who were allotted houses but who had acquired a house subsequent to that date and who were asked to pay penal rent. They could not provide me with those figures. I hope the hon. Minister will be in a position to tell as the number of such persons who have been brought under the penal provisions.

We were old that the accommodation now available and allotted is 28,420 and the total demand is 69,773. So, the shortage will be nearly 41,000. There are two aspects here, namely, the protection of tenants and secondly, protection of *bona fide* Government employees. These two cannot be conflicting issues. One should be subordinating or supplementing the other. That is the real purpose of this Bill.

I will crave your indulgence to go through some of the provisions of the Delhi Rent Control Act, 1958. Chapter III of this Act deals with the control of eviction of tenants. Section 14(1) deals elaborately with the powers to evict, exemptions which can be sought for and given etc. Referring to the grounds on which possession of the premises can be sought by the landlord, clause (1)(e) of section 14 gives the ground:

"that the premises let for residential purposes are required *bona fide* by the landlord for occupation as a resident for himself or for any member of his family dependent on him, if he is the owner thereof, or for any person for whose benefit the premises are held and that the landlord or such person has no other reasonably suitable residential accommodation;"

Then the Explanation says:

"For the purposes of this clause, 'premises let for residential purposes' include any premises which having been let for use as a residence are, without the consent

of the landlord, used incidentally for commercial or other purposes;"

That is not very material here. There is a proviso to sub-section (2) of section 14 which reads:

"Provided that no tenant shall be entitled to the benefit under this sub-section if, having obtained such benefit once in respect of any premises, he again makes a default in the payment of rent of those premises for three consecutive months."

This deals with payment. Then sub-section (6) says:

"Where a landlord has acquired any premises by transfer, no application for the recovery of possession of such premises shall lie under sub-section (1) on the ground specified in clause (e)".

Clause (e) relates to possession for his own *bona fide* residential use.

".... in clause (e) of the proviso thereto, unless a period of five years has elapsed from the date of the acquisition."

So, from sub-section (6) of section 14 the powers of a landlord who acquires a new property for his own residential use are very clear. That is to say, for a period of five years he does not get the right to move the Controller for the eviction of the tenant although the premises is required for his *bona fide* residence under section 14(1) (e).

15 18 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

This is the reason why I wanted a new sub-section to be introduced in the place of the existing sub-section (6) in order to give a right to a Government servant who has acquired a new house for residential purposes to approach the Controller to evict his tenant. Therefore, I have suggested a new sub-section (6) as follows:

"Except in the case of a Government servant who has been allotted a Government accommodation and is liable to eviction under the rules governing such allotment, where a landlord has acquired any premises by transfer, no application for the recovery of possession of such premises shall lie under sub-section (1) on the ground specified in clause (e) of the proviso thereto, unless a period of five years has elapsed from the date of the acquisition."

The object of this amendment is very clear. If Government are not going to alter the rules, then protection must be given to the Government servants. That protection can come by way of amendment to this particular Act. Now there is a blanket order which says that no tenant can be evicted for a period of five years although the house is required for a *bona fide* purpose. The position is very clear if you read sections 15(1)(e) and 15(6) of the Delhi Rent Control Act.

I want to find out from the hon. Minister whether a Government servant who has been allotted Government accommodation and who has since acquired a house in New Delhi or old Delhi will be allowed to retain the house which has been allotted to him for five years. If that is the position, I will really be out of court and this amendment will be superfluous. But if after acquiring the house of which he will not not be able to get vacant possession the Government servant is asked to pay enhanced rent, naturally either this amendment will have to be accepted or the rules governing the allotment of accommodation to Government servants will have to be modified.

In reply to the question to which I made a reference a little earlier and which was answered on the 1st Sep-

[Shri Tangamani]

tember, 1960 by the late Shri Govind Ballabh Pant he said:—

> "A Government servant can be allotted or re-allotted Government accommodation in case he is unable to obtain vancant possession of the house acquired by him, his wife, parents or children."

These are the four persons who will bring this disqualification. A Government servant is allotted a quarter. Now if after some time either he or his wife or his parents or his children acquire a house, as soon as this is brought to the notice of the Government certain things will follow. It may be asking him to quit. According to the Delhi Rent Control Act, 1958 he will not be able to take vacant possession of that particular property which is now being owned either by himself or by his wife, parents or children and will not be able to get eviction of that tenant for a period of five years. That is very clear from section 14(6) of the Act. But does this Government servant get a blanket order of no eviction from the Government of India under these rules? My humble submission is that it is not so.

Some representations have been received and just to show the hardship. I would only take the case of some Upper Division Clerk who is drawing, say, about Rs. 250 *per mensem*. He is allotted a 'F' type quarter and the normal rent payable will be about Rs. 25. If he or his wife, parents or children come into possession of a house in New Delhi or old Delhi and he is not able to get vacant possession of the house because he will not be able to get the eviction of that tenant for five years under the Act, is he asked to pay enhanced rent? That is the simple question that I want to pose. I am told that certain Government employees are paying Rs. 128 as rent whereas they were paying only Rs. 25 because their mothers or farthers have acquired a particular house. The employee who is drawing Rs. 250 is made to pay Rs. 128 as rent. If that is the case, the rules require drastic amendment. The rules must be so amended that protection is extended to that employee for a period of five years.

I have got the rules in full, but I will only make a reference to the number of that rule. It reads:

> "In pursuance of the provisions of Rule 45 of the Fundamental Rules the President hereby makes the following further amendments in the Supplementary Rules published with the Government of India in the late Finance Department letter....." etc.

This is the latest amendment which was published in the Gazette of India. It says:

> "No officer shall be eligible for allotment of Government accomodation under these rules or if he is already in occupation of such accommodation, to its continued retention if—
>
> "he owns, or has, since the allotment of Government accommodation, become the owner in full or in part whether in his own name or in the name of any other person of, a house in Delhi or New Delhi which is located within six miles of the place of his duty and in which he can, in the opinion of the Central Government reside consistently with his official position;"

The reply that was given to me by the then hon. Home Minister was that this will extend in cases where the house has been allotted to his wife or parents or children.

The rules provide further:—

> "his wife or any dependent child owns, or has, since the allotment of Government accommodation, become the owner, in full or in part, or a house in Delhi or

New Delhi which is located within six miles of the place of his duty....."

The rules also extend the same thing to his father, mother or any other dependent relation who is likely to be the owner of a house. As soon as a Government employee is provided with accommodation and after he has occupied that house, or where he is allotted but is not able to occupy the house, or where the application is pending, restriction is also imposed on him.

For the sake of simplicity I would only take the case of a Government employee who has been allotted a quarter. As soon as anyone of these persons comes into occupation of a house through transfer or otherwise he is to state that such and such a thing has happened. This he has to do within seven days. If it is proved to the satisfaction of the Central Government that such a house was given out on lease before acquisition by him, his wife or any dependent child, or father or mother or any other dependent relation, the Government may consider this and allot or re-allot a quarter to him. He will have to pay standard rent under Fundamental Rule 45-B or standard rent under F.R. 45-A plus 33.1/3 per cent. thereof or pooled standard rent under F.R. 45-A plus 33.1/3 per cent thereof where the rents have been pooled or ten per cent of his emoluments, whichever is the highest, for so long as he or his wife or any dependent child or his father or mother for any other dependent relation, as the case may be, is unable to obtain vacant possession of the house. This, I submit, is a hardship. The fact that they have purchased a house is no fault of theirs. Is the Government in a position to get vacant possession of that house for this employee? Merely because some relation of his has purchased a particular house, the benefit that he has been enjoying all along should not be taken away. The rule seems to me to be very clear. Even though he is not able to obtain vacant possession, this plus 33.1/3 per cent etc. follows.

Then the rule says:

"If at any time it appears to the Central Government that no efforts have been made to obtain vacant possession of the house it shall be open to the Government to give suitable directions as to the steps to be taken to obtain vacant possession of the house, and if such directions are not compiled with, to cancel the allotment and to require the allottee to vacate the Government accommodation forthwith or to charge rent for Government accommodation under Government of India decision (2) below Fundamental Rule 45-B or twice the standard rent under F.R. 45-A or twice the pooled standard rent under F.R. 45-A where rents have been pooled or 15% of his emoluments, whichever is the highest."

How can he take suitable action when the law provides that no action can be taken against the tenant for five years, unless either the employee is ignorant or the tenant is ignorant of section 14(6) of the Act? It says, 'Thou shalt not take any action against the tenant merely because you have taken this house through transfer or otherwise". And you say that he has not taken suitable steps for evicting that particular tenant? I was understand if through persuasion he is able to get the eviction of the tenant because, naturally, if a person has purchased a house he would like to move to that House. Nobody wants to remain in a rented house. A situation may arise when he is able to get enhanced rent from the tenant when he is paying only a nominal rent to the Government. The rules framed by the Government of India make it very clear that as soon as notice is received by them, enhanced rent is collected. If the Government is satisfied that no steps have been taken by him, double the enhanced rent is collected. It seems to be a very novel state of affairs which needs

[Shri Tangamani]

radical change. Ultimately, I find the latest rule will be:

> "Where after the cancellation of an allotment under any of these rules other than S.R. 317 B-7, the residence remains or has remained in the occupation of an officer to whom it was allotted or of any one claiming through him, the full standard rent of the residence under Fundamental Rule 45-B or twice the standard rent under Fundamental Rule 45-A or twice the pooled rent standard rent under Fundamental Rule 45-A, if the rent has been pooled, or fifteen percent of the emoluments of the officer, whichever is the highest, may be charged for the period of such occupation."

I have quoted this *in extenso* just to show that it will be impossible for a *bona fide* government employee to move to a house although he has purchased that house so long as this Act is in force. This anomaly is there. Even the reply of the hon. Home Minister did not clarify the position. I took pains to go through the rules and I had to come forward with this particular amendment. Even if the amendment in this form is not acceptable, I daresay the purpose for which I have brought it is a noble purpose; it is a correct purpose. The patent anomaly which exists has got to be rectified. I will be satisfied if the hon. Minister gave me an assurance that for a period of five years, there will be no question of enhancing the rent which is already being paid by the government employee or there is no question of failure to provide him with accommodation merely because such a thing happened. On the basis of his priority, he should be allotted a house. If he is already in possession of the house, the penal provisions of Fundamental Rules 45-A or 45-B should not apply.

With these words, I submit that the Bill is only seeking to remove a certain anomaly which exists, particularly to the government employees living in Delhi—the Rules also specify a particular area—within which area the Delhi Rent Control Act is at present in force. With these words, I commend this Bill..

Mr. Deputy-Speaker: Motion moved:

> "That the Bill to amend the Delhi Rent Control Act, 1958, be taken into consideration."

Shri Bal Raj Madhok (New Delhi): Mr. Deputy-Speaker, I rise to support the Bill which has been moved by hon. friend Shri Tangamani. The Bill aims at removing a glaring anomaly and injustice to a large number of government employees in Delhi. It also has a bearing on the wider question of housing problem in Delhi, not only for the government employees, but for the general public as well.

As we all know, Delhi is a growing metropolis in which shortage of housing is so glaring. According to the master-plan, we need about 31,000 houses every year in Delhi if the shortage in housing is to be overcome. But, actually, as a result of the housing and land policy of the Government, not even 1000 houses are being built every year. The result is, that this problem instead of getting solved is becoming more and more acute every day. Many people, therefore, to avoid this problem, are taking recourse to building *jhuggis*, unauthorised constructions, thereby creating so many new problems, new slums. In a way, I feel we are ecouraging the people to take the law into their own hands and make the city idrty. Keeping in mind that wider question, I would appeal to the Government to review the housing and land policy in Delhi. Coming to the government servants for whom this Bill is meant, we find that in Delhi, governmental activities are increasing and the number of employees is also increasing. They also require accommodation. According to Government figures, the total accommodation needed for government employees is 69,773, out of which accommodation available so far is only

28,420, that is, there is is a shortage of 41,353 houses for government employees. When they do not get any Government built accomodation they have to live outside. We must encourage even those who have got government accommodation to build houses independently because after retirement, they will need them. For that, so many schemes have been made: the low income housing schemes, etc. When some enterprising government servant saves from his meagre salary and builds a house or acquires a small house, then, according to the rules made by the Government, he cannot remain in the house that has been given to him by the Government. Or, if he continues to live there, he has to pay penal rent, which sometimes goes up to three times the ordinary rent, and sometimes comes to half of his salary. One set of rules made by the Government puts a penal rent on him because he has a house. By another set of rules or laws made by the same Government, he cannot get that house. If you want him to quit because he has has got a house, you must also provide that he gets that house to live in. According to the Delhi Rent Centrol Act, he cannot go to that house for 5 years. Therefore, that poor man is beaten from both sides as they say in Hindi:

मरे को मारे शाह मदार

The poor man is being subjected to all kinds of hardships, price, etc. In fact, the problems of a clerk, a small man working in the Government offices in Delhi are innumerable. The Government, instead of trying to solve his problems, is trying to add to his problems. That, I say, is unfair and unjust. Therefore, the Bill that has ben moved is very fair and just. It says, either you amend the Rent Control Act so that, if he acquires a house, he can go into that house, or if you cannot amend that Act—in fact, that Act should be amended for other reasons also—at least do not charge penal rent from the man who is living in a government accommodation, even though he has got a house of his own.

I go a step further. Not only do government servants who are in service, have acquired a house, need some protection. There are a number of government servants who have retired. They were serving somewhere and they had government accommodation. They come back to Delhi to which place they belong or they would like to settle here. They have a house and that house is rented out. They are not able to get back the house. The worst part of the thing is, many people who have rented a house, have built their own houses. There are not hundreds, but thousands of cases where a tenant is paying a rent of Rs. 100, and he is having his own house for which he is getting a rent of Rs. 500 or Rs. 1000. He does not want to go to his own house because the rent that he is paying is little and for the new house that he has built, there is the rent holiday and he can charge any amount of rent for five years. Here is a man who is living in a house on a small rent while he is gettig a higher rent elsewhere. He cannot be evicted. If you lok into the case, you will find it is a glaring injustice. It is neither equitable nor just. Therefore, not only in the interests of persons who have acquired a house, but in the interests of others, persons who have retired or even those people who have got a particular house on rent and who have built their own house, the Delhi Rent Control Act needs to be amended.

There is another aspect of this problem. In respect of allotment of the houses that the Government have built, a lot of difficulties have been created. As I said, there is a lot of shortage. There are government servants who have applied for government accommodation and there are waiting for years. Whenever a new Government colony is built and applications are invited, for allotment, we find that as many as 50 per cent of the houses are reserved for out of turn allotment. One can understand, there may be special circumsmances where there is a man who is ill or something has happened and he applies on this ground that he should be given out of

[Shri Bal Raj Madhok]

turn allotment and it may be taken as a special case. But when you begin to allot 50 per cent out of turn,—generally those who get out of turn allotments are people who have some kind of a pull—people who have no pull may be waiting for 10 years or 15 years. There are hundreds of such cases and they cannot get accommodation.

So, here is a problem which needs to be looked into not purely from the legalistic point of view or from the point of view of the rules that have been framed but from the human point of view. If he looks at the problem from that angle, then I am sure the hon. Minister will find it quite easy to accept the Bill that has been moved. I would request him not only to accept this Bill but to go through the entire Delhi Rent Control Act and amend it in the light of the suggestions that I have made.

Shri S. M. Banerjee (Kanpur): I rise to support this amending Bill moved by my hon. friend Shri Tangamani. I would like to take this opportunity to place before the House certain difficulties experienced by the Government servants in general in Delhi in regard to housing. After all, why have these difficuties arisen? If all Government servants are assured a quarter in Delhi when they come from outside or they are appointed here in Delhi itself, then this question will not arise. But this difficulty is experienced by nearly 50 per cent or more of the office clerks or other who are working in the Central Government undertakings, because they have not yet been given any houses. In reply to many of my questions, I have been told that houses are coming up in Delhi, and that new colonies are being built up. That is true. All the same, the difficulty is also there. There is difficulty about conveyance, there is difficulty about accommodation and so on.

After all, an employee in this country has to care for his old mother, father, and sometimes unmarried sisters and dependent brothers. So, the accommodation given to him must be at least two-roomed or three-roomed. Otherwise, it is impossible for him to keep the entire family consisting of his wife and his mother and other members of his family. In a joint Hindu family, it is not possible for the employee to ask his mother to remain separately.

There is also another question to be considered. Supposing a particular Government employee resides in a locality which has no Government accommodation but which has rented accommodation for him, and in the meantime, he gets a quarter, he loses financially: I shall give an illustration to point out how much he loses. Supposing the rent for the particular house where he was living before is Rs. 40. The moment he leaves that house and gets government quarter in a particular colony, either in Moti Bagh or in Vinaynagar or in any other new governmet colony, then he loses his house rent fothwith. He was getting Rs. 15 as house rent allowance previously, and with the upgrading of Delhi as a class A city, he perhaps gets Rs. 20 or Rs. 22 as house rent allowance; the moment he gets a government quarter, he loses that house rent allowance. So, there is a double deduction. Not only is 10 per cent of his salary cut, but he also loses his house rent allowance. So, the man loses about Rs. 40. Supposing I am getting Rs. 200 as my basic pay—I am talking of the position after the merger of the dearness allowance, because this, I am told, is the Pay Commission formula—then 10 per cent or 12½ per cent is deducted from my salary as rent of the particular quarter; there also, I have to pay about Rs. 40. Later on, when I am evicted or my family members are evicted from that locality, I shall be charged a penal rent, which according to the information avail-

ble with my hon. friend Shri Tangamani goes up to Rs. 120. So, there is a double deduction here. So, when we are discussing this particular Bill, I have before me a clear picture of the difficulties experienced by the Central Government employees. I submit that this double deduction must come to an end. If I have to pay ten per cent or 12½ per cent as house rent why should I lose my house rent allowance? If I am paying house rent, and it is deducted from salary, why should I lose my house rent allowance? I am quite confident that if somebody were to take this question to a court of law, under the Payment of Wages Act, this will be considered to be a wrong or illegal deduction. This is a matter which the hon. Minister has to take note of.

Then, there is also the difficulty due to transport. Take, for instance, the service afforded by the DTU buses. Suppose a man comes from a far-off place like Moti Bagh II or some such area, and suppose he is working in the Central Board of Revenue or the Comptroller and Auditor-General's office, he has to wait in a queue for the bus, and it is impossible for him to reach his office in time unless he gets up in the early morning and he is at the bus stop at about 8·30 A.M. As regards how the DTU functions, sometimes, I feel that its name should have been not 'Delhi Transport Undertaking', but 'Don't-Trust-Us.' You can never trust the DTU. You do not know whether the bus will come at 1 P.M. or at 1·30 P.M. Those people who are travelling in these buses can bear me out when I say that it is really working as 'Don't-Trust-Us', with the result that it has become a difficulty for anyone to travel.

So, I see a good point in this Bill, and I feel that this should be accepted at least by the hon. Minister, and the interests of the employee's family consisting of his mother etc. should be safeguarded.

There is another difficulty in regard to the housing problem in Delhi. I am glad that a letter has been issued by the Works, Housing and Supply Ministry in this connection. Previously, all those employees who came from Allahabad, Calcutta, Bombay or other places on transfer to Delhi offices, were considered to be juniormost in regard to allotment of Government accommodation, because their total service was not taken into account. But I am happy that I have received a letter from the Works, Housing and Supply Ministry, which clearly says:

> "Revised allotment rules on the basis of the recommendation of the committee are likely to be enforced from 1st January, 1962. Rules are proposed to be revised in such a manner that the priority date of an officer in relation to a class of residence to which he is entitled would mean the earliest date from which he has been drawing the emoluments of a particular class or higher class in a post under the Central Government anywhere in India or abroad. Annual applications for allotment of general pool accommodation during the next alllotment year commencing from 1st January, 1962 have also been called for by the Director of Estates, New Delhi, on the above-mentioned basis.".

If this is implemented, I am sure the difficulty will be solved. Take, for instance, the case of a particular Government employee coming from Calcutta. When he comes from Calcutta and joins the External Affairs Ministry or the Home Ministry or some other Ministry here, he used to become juniormost in Delhi for allotment of Government accommodation; because only seniority in the station used to be taken into account, his name used to come last, and he would not be entitled to Government accommodation. But with the taking into account of the total service whether in India or abroad, he

[Shri S. M. Banerjee]

will be considered senior enough. If, under the old rules, his order of priority was 25,000 or so in a particular category, say, E, O or B or anything else, under the revised rules, his order of priority will be 150 or 200, and he would be considered as the seniormost for the purpose. I congratulate the hon. Minister of Works, Housing and Supply on the issue of this letter, but, I would say that it should be implemented. Unless it is implemented, I would be ready to withdraw my congratulations.

In view of these difficulties experienced by the Government servants in Delhi, I feel that if this amending Bill is accepted, it will surely do good to those whose family members are here in Delhi and who cannot be accomodated in one room only. I would request the hon. Minister to kindly visit some of the areas like Sewanagar etc. of the class IV employees. You cannot have any privacy in those quarters. In a single room, the old mother is there, the old father is there, and sometimes, the young sister is also there, and besides the man has also to lead a conjugal life. He cannot have any privacy there; he cannot have any private life unless during the summer he requests his old mother or father to sleep outside. This is what is happening in these colonies. So, the minimum accommodation must be a two-roomed tenement. One-roomed tenement is absolutely out of the question now. I am glad that this has been accepted in principle, but I do not know when it is going to be translated into action.

With these words, I would request the hon. Minister to kindly accept this Bill, the object of which has been made amply clear in the Statement of Objects and Reasons. I congratulate my hon. friend Shri Tangamani, who, though coming from the south, has realised as a citizen of the country, the difficulties of the Delhi people. I am really thankful to him, and the entire people from the north will be thankful to him because he is a person coming from the south, and still, he has moved this Bill which is going to benefit most people, not only North Indians, but anyone coming from Calcutta, Bombay or such places, to Delhi, which is the capital of this country, and which is going to become a cosmopolitan city.

The Minister of State in the Ministry of Home Affairs (Shri Datar): My hon. friend, the Mover, has sponsored this Bill on the supposition that there are certain inconveniences or hardships so far as government servants are concerned. In the first place, it is not necessary for me to define the original section 14 (6) which laid down that even if a man were to acquire a certain property by transfer, he would not be entitled to actual possession for a period of five years. You are aware that when that Bill was passed by Parliament, there was considerable discussion over this particular point. The period of five years was laid down for the purpose of protecting tenants who are in possession of the property, so that a man should not take possession of it from him merely because there is a transfer. So it is based on sound principles, in the interest of *bona fide* tenants who ought not to be evicted immediately.

My hon. friend has pointed that this is likely to cause some hardship to government servants. In the first place, if a government servant takes a house by transfer and if he gets possession of the House, there is no difficulty at all. But my hon. friend believes that in view of the very clear position laid down in section 14(6), he may not be able to take possession. That is perfectly correct. Merely because there is a transfer to a government servant of a house, it would not be proper for him to have possession in spite of that rule. This is a very clear position. I can understand his point provided he has a certain hardship so far as housing accommodation which has been allotted to him is concerned. But may I point out very

clearly to my hon. friend, that there are rules made by the Government of India to meet this situation? I believe most of these have been placed on the Table of the House also. According to these rules, merely because a government servant takes a transfer—either purchases or otherwise gets a property transferred to him—he does not lose his allotment. This should be understood very clearly. My hon. friend's Bill is on the assumption that whenever he gets a transfer, whenever a government servant purchases a property—I am putting it in a general way—he loses his right of allotment and there is a liability on his part to vacate the government quarter he is occupying. This not the correct position.

In this respect, I would like to invite your attention to two rules. Rule 7(3)(iii) of the Special Accommodation Rules, 1950 says:

> "Notwthstanding anything contained in sub-clause (i) or (ii) above, the Central Government may allot or re-allot government accommodation to an officer if"—

I would read read sub-clause (b)—

> "it is proved to the satisfaction of the Central Government that such house was given out on lease (i) before the posting of the officer to Delhi or New Delhi, (ii) before the acquisition of such house by him, his wife, and dependent child, by his father . . . . (iii) before the 24th December, 1955 or (iv) with the express approval of the Government of India, and the Central Government is satisfied that it is not possible for the lessor"—

he becomes a lessor on transfer—

> "for reasons beyond his control to obtain vacant possession of the House".

So far as this is concerned, the position is quite clear.

Then there are also supplementary rules made in this respect. Rule 317(b)(6)(3)(iii) says:

> "Notwithstanding anything contained in (i) and (ii) above, the Central Government may allot or reallot government accommodation to an officer if—
>
> (b) it is proved to the satisfaction of the Central Government that such house was given out on lease (i) before the posting of the officer to Delhi or New Delhi, (ii) before the acquisition of such house by him . . . (iii) before the 24th December 1955 or (iv) with the express approval of the Government of India, and the Central Government is satisfied that it is not possible for the lessor for reasons beyond his control to obtain vacant possession of the house".

Under these circumstances, there will not be any hardship at all. Assuming that a government servant purchases a house, merely because he purchases a house or solely on account of the fact of his having taken this transfer, he does not render himself liable to eviction from his government accommodation. On the other hand, under this rule he is likely to continue to occupy the housing accommodation allotted to him.

Shri Tangamani: Will he pay the same rent or enhanced rent?

Shri Datar: Let me answer one point first and then I will come to the next.

So far as the first point is concerned, in this particular case my hon. friend's supposition is entirely wrong. The government servant is not liable to eviction simply because he purchases a property. He is likely to be evicted when after purchase, he gets possession of the property. After getting possession of the property, if he

[Shri Datar]

still wants to continue in possession of the government allotment with a view to have some profit—oftentimes when a property is purchased, it can be leased on a higher amount and the officer is likely to prefer to remain in the government allotment—that will not be permitted.

I can understand the difficuty felt by the hon. Member, but in such a case, the rule is very clear. Unless the man gets possession of the House—here also there are other rules with which I need not bother the House—he will not be affected. Assuming, for example, that he purchases a very small house and even if he were to obtain possession of it, it would not be proper for him or convenient for him to go there, he is entitled to remain in the house allotted to him under the rules. Only when he purchases a house and it is good for him to live in and he has obtained possession of it but does not want to go there, will penal rent be charged. Penal rent is not charged merely because he has purchased a house.

If under the law there is a statutory bar preventing him from getting possession of the House, it would not be proper to charge him penal rent. Penal rent is charged only under certain circumstances, when he has purchased the house, got possession of it, it is good for him to live in but still he does not want to occupy it. Under these circumstances, both the objections of the hon. Member are not valid.

Lastly, I should also point out to my hon. friend that what he has done in his desire to represent government servants is perfectly understood. But can we make such a distinction only so far as government servants are concerned? My point is a constitutional one. According to the provisions of the Constitution, is it open to us to make any discrimination in favour of only Governmnent servants? The hon. Member desires to put in certain expressions in sub-clause of section 14:

> "Except in the case of a Government servant who has been allotted a Government accommodation and is liable to eviction under the rules governing such allotment....."

I invite his attention and the attention of the House to article 14 of the Constitution:

> "The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India."

I have no desire to impute motives either to the Government servant or anybody else. Let us proceed on the footing that the whole thing is done in a legitimate, *bona fide*, manner. Assuming that I puhchase property, will it not mean that if I happen to be somebody other than a Government servant, I cannot take possession for five years, but if I happen to be a Government servant, I can take possession immediately. This point should be understood. Government servants are citizens of India. They are entitled to certain concessions as Government servants which we are giving to them.

16 hrs.

My hon. friend Shri Banerjee raised certain general questions which have no direct bearing upon this Bill. If there are any grievances or real hardships, the Government Servants' associations are entitled to approach the Government, and may I promise this House that in all cases of real grievances or hardships, Government will try to see that they are removed to the extent possible.

As I said, so far as the present Bill is concerned, three points were raised. One is on the basis that there is an immediate liablity or susceptibility to eviction. That is not there. Then, the feeling was that penal rent would be charged as a matter of course. That also I have answered. The third point is the constitutional difficulty of mak-

ing the Government servants a class by themselves.

It is also quite likely that if any such favoured treatment is allowed, apart from the constitutional objection it may be abused by some Government servants. Merely because he is a Government servant, he has been saved from sub-clause 6. Therefore, the tendency would be for transfer of property to a Government servant either under the feeling that he is exempted, or even otherwise also. I do not like to deal with this particular aspect of the question, but let us not do anything that is either unconstitutional or likely to be abused.

So, I request my hon. friend not to press this Bill.

Shri Tangamani: I am grateful to the hon. Minister for the explanation that he has given and for the assurance that the Central Government employees will not meet with hardship, but my real fear is that most of the rules to which he made reference are rules relating to 1955, and there is a specific reference that the lands or houses acquired by them should be before 1955, but the Act to which I referred is the Act of 1958. At least I hope the rules will be so modified that there is no question of evicting these people for five years. The rule says:

> "If it appears to the Central Government that no efforts have been made to obtain vacant possession...."

How can he take any steps for getting vacant possession when the Act definitely bars him from moving the Controller for getting vacant possession? That was my point.

I am aware of the Constitutional provision, but I have only mentioned that if a certain class of people are otherwise debarred, that disqualification will have to be counterbalanced and they may be given certain facilities. It is not trying to give extra benefit to a certain group of people. Here are certain people who are under certain disadvantages according to the rules. If the rules regarding allotment are clear, this question will not arise at all. Only where the Government servant can prove that the rules really debar him from continuing in the place which was allotted, this provision can be invoked. So, I was rather surprised why article 14 was brought in with reference to such an innocuous legislation.

Anyway, in an indirect way he has promised that there will not be any hardship.

Shri Datar: These rules were made only in 1960.

Shri Tangamani: Mostly they refer to occupation prior to 1955. They are all amendments to these rules. My grievance is that the amendments do not go far enough. They have not taken into consideration the Act of 1958, that is my point.

In view of what he has said, I am not pressing the Bill as I wanted to. I only hope the Government will see to it that the rules are modified, and that those who are now under any disqualification or have to pay enhanced rent where the five year period has not lapsed, will be repaid the arrears.

Mr. Deputy-Speaker: Has the hon. Member the permission of the House to withdraw the Bill?

Hon. Members: Yes.

The Bill was, by leave, withdrawn.

16.07 hrs.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

(Amendment of Section 488) by Shri Ajit Singh Sarhadi

Shri Ajit Singh Sarhadi (Ludhiana): I beg to move:

[Shri Ajit Singh Sarhadi]

"That the Bill further to amend the Code of Criminal Procedure, 1898 be taken into consideration."

The amendments which this Bill proposes are two. Firstly, in section 488 of the Criminal Procedure Code it proposes that the word "child" wherever it occurs should be substituted by "daughter or son". Secondly, the amendment proposed is that in sub-section (4), for the words "if she is living in adultery", the words "if she had sexual intercourse with any person other than her spouse" should be substituted.

My object in bringing these two minor amendments is to clarify the confusion and meet the conflict which has crept in in the rulings of the different High Courts.

The original section 488 runs as under:

> "If any person having sufficient means neglects or refuses to maintain his wife or his legitimate or illegitimate child unable to maintain itself, the District Magistrate, a Presidency Magistrate, a Sub-Divisional Magistrate or a Magistrate of the first class may, upon proof of such neglect or refusal, order such person to make a monthly allowance for the maintenance of his wife or such child, at such monthly rate, not exceeding five hundred rupees in the whole, as such Magistrate thinks fit, and to pay the same to such person as the Magistrate from time to time directs."

The expression used here is "legitimate or illegitimate child". "Child" is the word which has created some confusion. As the hon. Minister will bear me out, certain High Courts have given interpretations to this word "child" as a person below the age of 18 who is not able to contract, that is a minor. But the words in the section "a child who is unable to maintain itself" clearly postulate that the intention of the legislature was not this, that it should be a minor child, but any offspring which is not able to maintain itself. Whatever the age, he or she would be entitled to maintenance from the parent if unable to maintain himself or herself. Of course, the moment a girl gets married, she is able to maintain herself because she is married, but otherwise the object of the original section was this. A daughter or a son who is unable to maintain herself or himself would be entitled to maintenance because she or he is unable to maintain herself or himself. But we find the different High Courts interpreting the word 'child' differently.

I need not cite all the authorities that are on the point. But I would just refer to a few. The Madras High Court, in A.I.R. 1950 Madras 394, has definitely held that a child means a minor. And the moment a person is able to contract, he or she would not be entitled to maintenance because the word 'child' is used. This was based on the original ruling in 1914 Madras 249. Another ruling of the Madras High Court in 1925 Madras 491 has held about a daughter that if she gets married and is in a poor condition and her husband is not able to maintain her, still she is entitled. That is contradictory to the ruling in 1950 Madras 394. Similarly, in 1941 Madras 685, a single judge ruling has held that a child does not mean any minor but a category of persons who are not able to maintain themselves. So, in the Madras High Court itself there is no final judgment.

I will just draw the attention of the Minister to the rulings of the Calcutta High Court. In 1935 Calcutta 485, it has been held that a child means a minor. Then, later on in 1950 Calcutta 465, a single judge ruling and also in 1951 Calcutta 66, another single judge ruling, it has been held that the age is not the criterion whether a person is a child or not. He or she would be

entitled to maintenance if he or she is not able to maintain himself or herself. In Calcutta High Court itself we have two ruings on one side and another on the other side; and there is no final authority.

Coming nearer home, our own High Court, in 1933 Lahore 249, has held that a child means a minor and would only be entitled to maintenance. The same year in a decision in Lahore 1026, it was held that age is not the consideration. If he or she is unable to maintain himself or herself then he or she would be entitled to maintenance. In 1941 Lahore 92, the matter was referred to a Division Bench and still we have not got a final ruling. The Division Bench never gave ruling about the definition of the word 'child'. Recently, in 1960, the Punjab High Court has held that the word 'child' includes any person of any age, daughter or son, who is unable to maintain herself or himself.

Even in Nagpur we have got different authorities. In 1922 Nagpur 249, it was held by a single judge that 'child' means a minor. In 1950 Nagpur 231, it has been held that it refers to a person of any category provided he or she is unable to maintain himself or herself.

So, my respectful submission is that this is a very important section which lays down the liability of the parent to maintain the child; that is of the father to maintain his offspring whether a girl or a boy. How far that liability goes is an important question. I would certainly say that the liability lasts as long as the father is alive if the child, whatever its age, is unable to maintain itself.

Suppose there is a lame daughter or a blind daughter who is unable to maintain herself—or a blind son—then, certainly, the liability is on the father.

I submit that the original intention of section 448(1) was definitely this that if the child of whatever age, he or she, is unable to maintain itself, then it would be liability of the father. But the different decisions of the different High Courts and different decisions of the same High Court *inter se* have created a conflict and a confusion. Therefore, I have proposed in this Bill that the word 'child' be substituted by the words 'daughter or son', in order to eliminate the question of age at all because that word has created confusion. Every person if he or she is unable to maintain himself or herself should be entitled to maintenance provided the other conditions mentioned in section 488 are fulfilled. This is the first part of my amendment.

The next part relates to section 488(4). Originally, the clause runs thus:

> "No wife shall be entitled to receive an allowance from her husband under this section if she is living in adultery, or if, without any sufficient reason, she refuses to live with her husband, or if they are living separately by mutual consent."

This definitely postulates that if she is living in adultery she is not entitled to maintenance from her husband. There is a consensus of opinion in all the High Courts that if she is living in adultery, that is, if she is the mistress of somebody else she is not entitled. But if the lapse is one, two three or four, it would not disentitle her to maintenance. So far the decision is correct and that is the interpretation of section 488(4). The original allowance has to be fixed under section 488(1). And when the question of realisation comes in, under clause (4), it can be contended that she is living in adultery. That has been interpreted to be as, being the mistress of somebody else and living with him. If she has committed lapses, once or twice, then, it would not disentitle her to maintenance.

But we have passed the Hindu Marriage Act of 1955. It lays down that a spouse is entitled to judicial

[Shri Ajit Singh Sarhadi]

separation on the grounds given in clause (f) of section 10. It lays down that either party to a marriage whether solemnised before or after the commencement of this Act may present a petition to the District Court praying for a decree for judicial separation on the ground that the other party has had sexual intercourse with a person other than his or her spouse. I will read the relevant words of clause (f).

> "After the solemnisation of the marriage has had sexual intercourse with a person other than his or her spouse."

That is, the moment it is established that the woman has committed even one act of adultery, that entitles the husband to judicial separation. This is the legal position so far as this Act is concerned.

Now, for the purpose of divorce, certainly, living in adultery is one condition under section 13. But, under section, for judicial separation, even one act of adultery is sufficient. But that is not so under section 488 Cr.P.C. It entitles the lady to maintenance howsoever many lapses she may have, provided she is not living as the mistress or somebody else. This is an anomalous position.

Therefore, in order to remove this conflict between the two Acts and to bring a cleaner life, I have proposed an amendment to clause (4) of section 488. That is:

> "for the words 'if she is living in adultery', the words 'if she had sexual intercourse with any person other than her spouse' shall be substituted."

I have only shifted these words bodily from clause (f) of section 10 of the Hindu Marriage Act and incorporated them here. That is such an act of sexual intercourse would disentitle the lady to maintenance from her husband. It brings it in consonance with the provisions of the Hindu Marriage Act pertaining to judicial separation. The second reason is that it would lead to a cleaner life. We have given the right of judicial separation and the right of divorce for the reason that domestic discord should not remain.

Mr. Deputy-Speaker: Why should these two be equated? Take the instance of a wife; if there has been one act of adultery or sexual intercourse with a person other than her spouse, then the husband has the choice to seek judicial separation. When he seeks that, simply because one lapse has been committed, he should have the advantage of absolving himself from paying compensation as well?

Shri Ajit Singh Sarhadi: Your observations are very relevant and I will meet the point. I agree that these two Acts relate to social legislation. Anybody would not certainly go in for judicial separation even if there is one act. If one spouse wants to remain separate, none wants to have a claim; that would lead to more domestic harmony. But the moment the woman comes forward despite more than ten lapses or even a few and claims maintenance the husband should have a right to make a plea that she is not entitled to maintenance because of adultery. Your point would cut the other way also; you will be forcing everybody to go in for judicial separation on one act of adultery.

Mr. Deputy-Speaker: There is no question of forcing anybody but the effect of the two has been kept rather separate. One is not so serious as the other. In one case if he feels offended he must feel offended—and wants a remedy, he can go as far as separation but if it is a continuous lapse and the lady is living in adultery then certainly she could not claim maintenance.

Shri Ajit Singh Sarhadi: If she lives in adultery the husband can seek divorce.

Mr. Deputy-Speaker: If she lives in adultery and she has to go to the court for maintenance then certainly she has already deserted or she is not being kept by the husband already when she goes to the court for maintenance. Therefore, she is not being maintained. Though it may not be judicial separation by law, already they would be living separately.

Shri Ajit Singh Sarhadi: That is by implication. That gives a right to spouse to bring in a petition for divorce if she is living in adultery; that debars her of maintenance.

My respectful submission to the House is to see whether it is not necessary to bring harmony between the two provisions which are identical. The moment you deprive a women who has committed an act of adultery from the right of maintenance under section 488, you lead her to a cleaner life than otherwise. When the debate on this section took place, this was objected to. I place this amendment for the consideration of the hon. Minister and I hope the Government will find its way to consider it somehow.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill further to amend the Code of Criminal Procedure, 1898 be taken into consideration."

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, I can very clearly understand the objects which the hon. Member has in view. But we have to take into consideration the context in which section 488 was introduced, not in the substantive law of the land but in the criminal law of the land. Therefore, it would not be proper to draw an anology between section 488 of the Cr.P.C. in so far as it bears on the right or obligation of maintenance and the other Acts, the Hindu Marriage Act or the Hindu Divorce Act or the other Acts of different communities.

In the Criminal Procedure Code, naturally we deal with the desire to maintain a peaceful society and a more or less harmonious society. I may point out why section 488 has been introduced in the Criminal Procedure Code. The object is to prevent domestic troubles in the family getting into the society and creating further trouble. If the husband and wife are so scandalously quarrelling with each other, it may even lead to trouble not only in the family but in the society also. When the Criminal Procedure Code was framed there was a very large measure of illiteracy, almost an astounding measure of illiteracy, in the whole of India. Secondly, let us assume that a husband is in a position to maintain his wife, but still does not do so on account of certain reasons, right or wrong, then it will lead to vagrancy on the part of the wife. In the case of poor families, if a woman is not maintained properly she would go out and become a vagrant and perhaps in certain cases she will be compelled to lead not necessarily a desirable type of life. It is on account of these considerations of the general security and harmony of the society that the provision regarding maintenance was made so that peace and harmony should remain in the family and therefore harmony in society should be ensured to a certain extent. That is the reason why it is necessary to understand the context in which section 488 was introduced. This is a special provision and if I mistake not, it is only in the Indian criminal law.

Before I deal with the two points which the hon. Member has made out, I may point out that the Law Commission have now been considering the general question as to whether any revision in the Criminal Procedure Code as also in the Indian Penal Code is necessary. They are examining the two Codes very carefully to see whether any changes in the law are necessary. Therefore, I am con-

[Shri Datar]

fident that it would also consider the suitability or otherwise of the present provisions in section 488 and I would assure my hon. friend that a copy of the debate on this Bill will also be forwarded to the Law Commission for their proper consideration. It was only in 1956 that we had a fairly exhaustive revision of the Criminal Procedure Code. It would not be proper that so far as such important laws are concerned, I refer to these two Codes, they should be amended piecemeal. All the same my hon. friend has made a number of suggestions which I am quite confident the Law Commission will take into account and consider whether any changes are at all necessary. This is so far as the general aspect of the matter is concerned.

My hon. friend proposes to make two changes. One is that in place of the word "child", the words "son or daughter" should be substituted. Secondly, in place of the expression "living in adultery", he wants the expression, "sexual intercourse" etc., should be substituted. The word "child", as my hon. friend rightly pointed out, has been held to mean a minor child or a minor son or a minor daughter. I will not go into the old history. But I was just reminded of the principles on which maintenance was to be granted in the original law of the land, namely, Manu Smriti. 3,000 years ago, as you are aware, Manu Smriti laid down certain principles of law, some of which are in vogue even today, so far as Hindu law is concerned. Manu Smriti and Yagnavalkya Smriti are two very precious documents dealing not only with the principles but also with the enunciation of the various doctrines dealing with civil and criminal law. In the Manu Smriti itself, they have laid down the conditions under which a person or a relative could be entitled to maintenance: not all persons are entitled to maintenance. But with regard to each category of relative, a certain expression or an attribute has been put in. Then only he or she will be entitled to maintenance.

I was reminded of three categories of persons who were entitled to maintenance. One was *mata* and *pita*, the father and mother. Every father and mother is not entitled to maintenance. That is the reason why it has been put down as वृद्धौ माता पितरौ that is, parent, father or mother, is entitled to maintenance, only when they are very old. साध्वी भार्या Then comes wife, so long as she is a chaste wife. As I have pointed out in this case, same exception in the interests of society was made so far as chastity is concerned. That is the reason why in the Hindu law, considerable importance was attached to maintenance of chastity, and the good conduct of the wife before she is entitled to maintenance. You must have seen in the various earlier rulings—rulings of the eighties and the nineties—what they have said. It was stated that if it was found that a wife had become unchaste on account of certain extenuating circumstances, she should be given what was known as a starving allowance. That means, an allowance just sufficient to keep her from starvation. In that connection, the word "साध्वी भार्या has been put in. That was the reason why good conduct or chastity was insisted upon and now also it is part of the Hindu law of the land.

Coming to the relevant portion, this is the first category सुता श्च शु. Then comes the second category. So far as the son or daughter is concerned, he or she is entitled to maintenance provided he or she is a *shishu*, that is, a minor. The word *shishu* has been put in to show that only a minor is entitled to maintenance. For example, take the case of a major, unmarried daughter or a major son. Is she or he entitled to maintenance? No. Two conditions were necessary.

Mr. Deputy-Speaker: There is one difference between the conditions that prevailed then and that are prevalent now. There was no question of unemployment then. Everyone who could work and was a major could find employment and earn for himself or herself. Now, the conditions are different; even if the person is willing, prepared or is capable of working, he or she might not find employment.

Shri Datar: Merely because he does not find employment, the question is whether he or she should be a drain on the parents. That is what I was trying to point out. So far as the original law was concerned, two principles were laid down. One is that after a son or a daughter became a major, there was no question of his inability to maintain himself. He has got to maintain himself or to take the consequences. Therefore, the word *"shishu"* was put in. *Shishu* means a child, a minor child. I am obliged to my hon. friend, Shri Ajit Singh Sarhadi, for the views he has pointed out so far as the High Courts of Madras and Calcutta are concerned. They have rightly interpreted the expression "child" as corresponding to the Sanskrit word *"shishu"* which means a minor.

For example, let us take the case of a minor girl. If the minor girl has been married or could have been married in the former times, without the question of her age coming in, in that case, the moment she is married, she has to find out her maintenance from her husband's family and not from her father's family. So far as the son is concerned, so long as he is a minor, he has got to be provided for, with maintenance by the father. Apart from the other question of Hindu law, where a minor also had an inherent interest in that property, he had got to be maintained because maintenance depended upon the right of possession of property. Apart from the possession of property, the father had an obligation to maintain his son so long as the son is a minor. The question of "unable to maintain" was put in because there might be certain cases where there is a boy, say, of 15 years of age—technically he is not a major—if he is strong enough and well-educated, it is his duty to maintain himself and not to seek maintenance from his father. Therefore, I would submit that the word "child" was purposely put in as corresponding to the Sanskrit word *"shishu"* which meant minor. So, I would point out to my hon. friend that if the words "son or daughter" are put in, a case might arise where even a major might claim maintenance and might say that he is not in a position to maintain himself. The question arises only in the case of a minor and not otherwise. So, I submit that in view of what my hon. friend has pointed out, there are different judicial pronouncements so far as the interpretation of the expression "child" is concerned, and we might better leave it to the Law Commission to consider the question. But still, I would like to tell my hon. friend, in all humility, that the word "child" was purposely put in when the Criminal Procedure Code was enacted, with the object that the word "child" has to mean a minor son or a minor daughter.

Secondly, the contention of my hon. friend is that section 488 of the Criminal Procedure Code ought to be brought into conformity with what he has stated, that is, the Hindu Marriage Act. So far as the Hindu Marriage Act is concerned, there are certain obligations and rights which have been provided for. Certain obligations have been provided for or provided against. That is the reason why certain results would follow Let us, for example, say there is even a single lapse from virtue. My hon. friend wants the words "sexual intercourse with any person other than his spouse", to be put in in the place of the words "living in adultery". Let us not take into account either the considerations of morality or the considerations that prevailed with the framers of the law when ths Hindu

[Shri Datar]

Marriage Act or other Acts were framed by Parliament or the legislatures. Here, we have to take into account the question that it has a bearing on the Criminal Procedure Code. Therefore, assuming for argument's sake, there is a single lapse from virtue, the next question that will have to be considered is whether it is a voluntary act or by force; specially in a society which is still, to a large extent in the rural areas, illiterate, one has to be very careful. Often times, on account of false inducements and certain other circumstances, it is quite likely that a young woman might be led astray without understanding the full implications. I can even concede for the sake of argument that in a particular case, she might have even voluntarily submitted herself under the stress of what you can call infatuation. But the question is, whether such a single act has to be penal in the sense that she has to lose all her right of maintenance. That is why the words put in were 'living in adultery'.

When the Cr. P.C. was framed, 'adultery' was considered at great length and the present definition of the word 'adultery' in the Indian Penal Code was arrived at after a lot of discussion. I believe it went on for two or three years and ultimately a limited definition of the expression 'adultery' was evolved. It is not the adultery that we in Hindu society understand. It is a particular type of definition of adultery that ultimately found favour with the framers of I.P.C. But apart from that, let us understand that the word here is used in a general sense. So far as the wife is concerned, living in adultery means living in a course of unchastity. When a person commits an offence once, then there is a possibility of what is known as *locus penitentiae*; he can improve and repent. But if a woman has been living in adultery in the sense that she is carrying on unchastity more or less as a matter of one, then it becomes a course of conduct. Then it will be presumed that her course of conduct or her indulgence in adultery was one which could be called voluntary and persistent on her part. So, the Cr. P.C. stated that when a woman has been living in adultery, persisting in living on terms of illicit intimacy with others more or less habitually, she ought to be disentitled to maintenance. That was why this particular expression was put in.

I remember a Bombay High Court ruling that a single lapse from virtue should not be considered as a bar under section 488; they took the general view against the background of the Cr. P.C. It is not a question of ethics, morality or conduct of a particular person so far as substantive rights are concerned. In view of what I have pointed out, this expression was purposely put in and it has been interpreted righly. We might not say that they are quite correct so far as strict ethics are concerned. But generally, taking into account the context of the need for providing maintenance in the interest of the harmony of the family and the harmony of the society, with a view to prevent vagrancy, the expression that has been used is in my opinion deliberate.

The expression 'sexual intercourse with any person other than his or her spouse' is the right expression so far as the Hindu Marriage Act or the law of divorce is concerned. Here we are concerned only with the question of grant of maintenance in the interests of society and with a view to prevent vagrancy and other undesirable social results. So, for that purpose only this expression has been advisedly used and properly interpreted by a number of High Courts.

Taking into account all these circumstances, I hope that my hon. friend, though his object is perfectly understandable, would not press this

the context in which both the words have been used. I hope he would allow us to request the Law Commission to consider this matter also along with their general examination of the Cr. P.C. and the I.P.C.

Shri Ajit Singh Sarhadi: Mr. Deputy-Speaker, I am glad that the Minister has said that the Law Commission is seized of this matter. But I beg to differ in the interpretation that the hon. Minister has given about 'child'. Of course, as he said, the Calcutta and Madras High Courts have held in certain rulings that 'child' is a minor. But there is conconflict in those two High Courts *inter se*. The other High Courts have unanimously held that child does not mean a minor, but means a son or daughter of any age provided he or she is unable to maintain himself or herself.

I referred to the Calcutta High Court judgment in 1935 by a single Judge. In 1950, the Calcutta High Court took a different view. My respectful submission is that if a son or daughter is incapacitated or unable to maintain himself or herself, there should be liability on the father to maintain that child, however old he or she may be. The very purpose of the words 'unable to maintain itself' means that the original intention of the framers was that whatever be the age of the child, if he or she is unable to maintain himself or herself, there is liability on the father to maintain the child. Of course, when the girl is married, that is a different thing. Otherwise, there is liability on the father.

I welcome the fact that the Law Commission will take into consideration all these points for fixing liability on an individual about maintenance and I hope it would also take into consideration liability of one's father and mother also, if they are unable to maintain themselves. That would certainly be correct and I think the Law Commission would be very well-advised to take this into consideration.

I submit that the word 'child' should be clarified to mean that whatever the age, the son or daughter who is unable to maintain himself or herself, should be maintained by the father.

I agree with the Minister that the condition for maintenance of wife should be chastity. I submit that even one act of adultery on the part of the woman should disentitle her to maintenance. That will be in accordance with the quotation he has himself made that chastity should be condition precedent to the right of maintenance. So, the expression in Cr. P.C. should be brought into consonance with the provisions of the Hindu Marriage Act. I am glad it will be looked into by the Law Commission and seek permission to withdraw my Bill.

Mr. Deputy-Speaker: Has he the permission of the House to withdraw his Bill?

Some Hon. Members: Yes.

Mr. Deputy-Speaker: Permission is granted.

The Bill was, by leave, withdrawn.

16.48 hrs.

MINIMUM PRICE OF JUTE BILL

Shri Jhulan Sinha (Siwan) *rose—*

Mr. Deputy-Speaker: Would it be of any use to him? He has just the opportunity of speaking for 12 minutes.

Shri Jhulan Sinha: I will be satisfied with whatever I can say during that time.

I beg to move:

> "That the Bill to provide for fixation of minimum price of jute be taken into consideration."

Coming as I do from a State which produces jute in abundance and as it has been affected by fluctuation in

[Shri Jhulan Sinha]

prices leading to very serious results I have taken this opportunity of impressing upon the Government the desirability of an early fixation of a statutory minimum price of jute. From my own experience of minimum price in respect of sugarcane which also grows in abudance in my State I am satisfied that the measure is of material help to the producer and the industry as a whole.

We have looked into the figures of production, export and import of jute and we are satisfied that the measures taken by Government for the development of jute industry in this country are very wholesome. We have not forgotten the day when India, just after the partition, was very deficient in respect of jute production in the country. As soon as we took note of the position and of the deficiency that we suffered from it, this Government took serious steps to develop the production of jute. And, now, thanks to the success of those efforts, we have now turned the corner and we can, I should say, a little proudly say that we are now practically out of the woods.

But the position in respect of those who produce the commodity and who contributed to the success of the measures taken by the Government to make the country self-sufficient in respect of jute production and also even enable that commodity to be exported outside—I am not speaking of jute goods but about raw jute as a commodity—is very bad and they have suffered very seriously at the hands of those who deal in that commodity.

Practically, Sir, the Government has not taken any measures to stabilise the price of jute with the result that various malpractices obtain in the market. The dealers or those who deal in the commodity—I mean the middle-men—make a very good profit out of the produce made by the sweat of the brow of the cultivators. The price of jute as far as the cultivators are concerned is very low. As soon as the jute leaves the house of the cultivators and it goes into the market, the traders or the dealers in the commodity corner the stock and an artificial scarcity is created with the result that the price is raised very high. Thereby, by exploiting the cultivators the middle-men become rich. When this House, as we have seen on many occasions, often takes up the matter, the Government does take some measures. Only the other day the hon. Minister for small industries made a statement in this House—I am not quoting the whole thing to save time—that the fluctuations in the jute market have been very serious, the prices have even come down to uneconomic levels and that they are taking measures to see that the prices do not go down still lower. That assurance was given by the hon. Minister only the other day in this House. That only shows that fluctuations are there about which the Government are also somewhat alarmed.

We have had the experience of not only seeing the growers exploited by the middle-men, but we have also seen a lot of malpractices obtaining in the market at the hands of those who purchase the commodity. They adopt what you call *dhalta*. They have different sets of measures and weights. For purchasing a commodity in the market they use a certain set of weights which are actually different from what they use for selling the same commodity. When they sell they use a different set of weights which are very much lower in weights than the weights at which they purchased. Therefore, the malpractices and exploitation in respect of jute obtaining in the market deserve the very serious and early attention at the hands of the Government of this land. As I have said, it was the growers who contributed to the development of our jute industry. They have not only made the country self-sufficient but they have also enabled us to export jute to a certain extent

That person who has contributed so much for the success of increased production certainly deserves every consideration from our Government. By virtue of their own contribution they deserve the sympathy of the Government and that sympathy can be shown only by taking strong and effective measures for protection. That protection can be given only when Government statutorily fix the price of jute in the land.

This Bill, as will be evident from the Statement of Objects and Reasons, provides for the fixation of minimum price for jute in the country. The reasons given in the Statement of Objects and Reasons are very obvious, and they are only two. Firstly we have to save the jute growers from exploitation by the middle-men. Secondly, we have to encourage the further production of jute in the country not only by guaranteeing the minimum price but also by giving him protection from the malpractices of the middle-men who deal in this commodity and exploit the grower for his own aggrandisement. This is the state of affairs which deserves very careful and early consideration by the Government.

The jute industry is not a very small industry. The importance of this commodity can be judged by the fact that over twenty lakhs of acres of land are involved in the cultivation and the export of jute goods that are produced in this country, after satisfying requirements of our country—of course, we import jute also for certain purposes—that has risen up from a low beginning and it is now about Rs. 100 crores a year. This is a very big figure indeed and the class of persons who enable us to export jute to such a great extent certainly are entitled to get protection from the Government. This state of affairs requires very early attention and should be tackled in an efficient way.

The number of jute growers is in legion. It is not only certain big capitalists who grow jute. There are small petty farmers in my State whose number is not only in thousands but in lakhs. They are spread all over the region to which I belong, namely the eastern region consisting of Bihar, Bengal and Assam. These are the main jute growing areas of our country. I have seen with my own eyes the plight of the growers of jute who are very mercilessly exploited by those who deal in this commodity. It is only to save the growers from exploitation by the dealers that I have taken the opportunity of taking the time of the House at the fag end of the House, probably at the fag end of our term also. So, I hope Government will take into consideration the condition of the growers and devise measures, as I proposed in my Bill, by fixing the minimum price or by any measures that they consider sufficient to protect the interests of the grower.

We have seen that Government have made an announcement that the Jute Mills Association have proposed to establish some agency to have some buffer stock and that agency is going to be registered. What the fate of that agency will be, nobody knows. In any case, that agency will be an agency of the Jute Mills Association. Though I would not like to blame it, that Association has been the main target of our attack in this House. I would not like to call it the devil of the peace because I am not sure whether it is a parliamentary expression. The Jute Mills Association has exploited the growers to a great extent in a way that suited it. It is only because of the alertness of this House and the responsiveness of the Government to the demands of this House that occasionally some measures have been taken to give the growers some relief. In order that the relief may be a permanent one and the growers may be saved statutorily from the exploitation and iron grips of those who deal in this commodity, I propose that the price of jute may be fixed statutorily.

[Shri Jhulan Sinha]

17.00 hrs.

This is not the only commodity for which I have proposed this measure. As the House knows, the Government has been fixing the price of sugarcane from year to year for a long time. The States had been doing it in former years, but far some time past the Centre has taken upon itself the responsibility and the duty of fixing the statutory minimum price of sugarcane. The result is obvious. The Second Five Year Plan had a target of 22 lakh tons of sugar production in this country and with the measures that the Government took by fixing the statutory minimum price of sugarcane the country has overshot the target to a very great extent. So far as I remember the target was 22 lakh tons and what the growers produced last year was 30 lakh tons for which the country might be proud.

Mr. Deputy-Speaker: The hon. Member might continue next time if he has better luck.

BUSINESS ADVISORY COMMITTEE

SIXTY-SEVENTH REPORT

Shri Rane (Buldana): Sir, I beg to present the Sixty-seventh Report of the Business Advisory Committee.

17.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, December 4, 1961/Agrahayana 13, 1883 (Saka).

[*Saturday, December* 2, 1961/*Agrahayana* 11, 1883 (*Saka*)]

ORAL ANSWERS TO QUESTIONS . . . . 2553—92

S.Q. No.	Subject	Columns
491	Drug plants	2553—55
492	Interim award of Jute Wage Board	2555–56
494	Technological centre for Food Processing and Fruit Canning Plant	2556–57
495	U.S. aid to under-developed countries	2557—60
496	Industrial Survey of Jammu and Kashmir	2560–61
498	Inquiry into the murder of Dr. Ao	2562–63
499	Export of manganese	2563—65
501	Wages in coal mines	2565
502	Exchange of lockers, bank accounts etc	2565—69
503	Rebate on handspun silk yarn	2569–70
504	All India Radio	2570—72
505	Formulation of Annual Plans	2573—76
509	Price-Page Schedule	2576—79
510	Extradition Treaty with Pakistan	2579–80
513	Time Table for the Budget Session	2580–81
516	Fertilizer Factory in U.P.	2581—83
519	Export incentives to manganese mine-owners	2583–84
521	Mechanisation of small scale industries	2584–85
522	Folk songs	2585—87
523	Sub-division of plots of land in Delhi	2587–48
524	Communist infiltration into Sikkim.	2588
526	Ceylon Immigration Act	2588—92

WRITTEN ANSWERS TO QUESTIONS . . 2592—2646

S.Q. No.		
193	Jaldhaka river in Bhutan	2592–93
497	Organic chemicals	2593
500	Textile industry in Ahmedabad	2593–94
506	Slum clearance in Delhi	2594
507	Indian doctors serving in Burma	2594
508	Explosion in Southern India Exporting Company Fireworks at Sivakasi	2594–95

WRITTEN ANSWERS TO QUESTIONS—*contd.*

S.Q. No.		
511	Asia Magazine	2595–96
512	Displaced families in Purana Quila New Delhi	2596
514	Training of management personnel	2596–97
515	Export of jute bags and hessian cloth to Cuba	2597
517	International Ore and Fertilizers Corporation of New York	2597
518	Development of land at Faridabad	2598
520	L.I.C. investments for Housing Schemes	2598–99
525	Manufacture of rubber tyres	2599

U.S.Q. No.		
1001	Small scale industries in Gujarat	2599–2600
1002	Training in Business Management	2600
1003	Rebate of Handloom Weavers' Cooperative Societies in Maharashtra	2600
1004	Foreign companies in cotton textile industry	2600–01
1005	Refugees from East Bengal	2601
1006	Import of Indian handlooms by Ceylon	2601–02
1007	Trade with Ladakh and Tibet	2602
1008	Import-Export licences	2602
1009	Passports issued to Indians to visit China	2602
1010	Dandakaranya project	2603
1011	Tibetan refugees in India	2603
1012	Registered unemployed in Punjab	2604
1013	Service of beef in Delhi hotels	2604–05
1014	Occupationals risks in industry	2605
1015	Loans to industrialists in Kanpur	2606
1016	Financial control over public undertakings	2606
1017	Textile mills in Punjab	2606–07
1018	Film on removal of untouchability	2607

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No.	Subject	COLUMNS
1019	Aluminium plant in Madhya Pradesh	2607
1020	Shifting of Government offices outside Delhi	2608
1021	Short Wave transmitter at Kurseong	2608–09
1022	Indian Trade Agency Building in Gyantse (Tibet)	2609–10
1023	Geneva Conference in Laos	2610
1024	Economic Development of Kerala	2611
1025	Coal Washing Plant	2611
1026	Export of leather goods to Switzerland	2612
1027	Paper plants	2612–13
1028	Aid ot African countries	2613
1029	Free World Common Market	2613–14
1030	Wool combing plant at Ludhiana	2614
1031	Coir industry in Kerala	2614–15
1032	Trade with Iran	2615
1033	House building loans for Government employees	2615
1034	Construction of quarters during Third Plan	2615–16
1035	Survey of the carpet industry	2616
1036	Industries (Development and Regulation) Act, 1951	2617
1037	Small Scale Industries Board	2617
1038	Industrial Estates	2617–18
1039	Demand for Indian glass	2618–19
1040	Central park in Connaught Circus, New Delhi	2619–20
1041	Taxation during Third Plan period	2620
1042	Appointment of Tea Advisers in West Germany and Iran	2620–21
1043	Industrial estates	2621–22
1044	Import of films	2622
1045	Teacher Administrators	2623
1046	Small Scale Industries	2623–24
1047	L.I.C. loan for Punjab Government for building houses	2624
1048	Transfer of plots in Delhi	2624–25
1049	Tea export to Chile	2625
1050	Production of tea	2625–26
1051	Seminar on Code of Discipline	2626–27
1052	Conference of Asian Planners	2627–28
1053	Atomic Power Station near Tarapur	2628
1054	Janpath Hotel, New Delhi	2628
1055	Claims of displaced persons	2628–29
1056	Import and export policy	2629
1057	Cotton Spinning Mills in Raichur District, Mysore State	2629–30
1058	Exhibition at Seattle in U.S.A.	2630–31
1059	Accident in Delhi Cloth Mills Chemical Works, Delhi	2631
1060	Employees' state Insurance Scheme	2631–32
1061	Raw film factory	2632–33
1062	European Common Market	2633
1063	Trade team from Indonesia	2633
1064	Import of Taxi meters	2634
1065	House building in Shrinivaspuri and Pinjrapole in Delhi –	2634–35
1066	Mohammadpur-Munerka colony	2635–36
1067	Allottees of upper storeys in Lajpat Nagar, New Delhi	2636
1068	'C' type quarters in Lajpat Nagar, New Delhi	2636–37
1069	Quarters in Lajpat Nagar-II New Delhi	2637
1070	Displaced persons colonies in New Delhi	2637–38
1071	Artificial pearls and diamonds	2638
1072	Attack by Pakistanis on a village near Gulmarg Pass	2638–39
1073	Council for Glass and Ceramics	2639–40
1074	"Guarantee Organisation" of Reserve Bank of India	2640—42
1075	Newsprint	2642–43
1076	Quarters in Kasturba Nagar	2643
1077	Reorganisation of Coffee Board	2643–44
1078	Small Scale Industries in Punjab	2644–45
1079	National awards for safety in industries	2645
1080	Export of onions and dried fish to Ceylon	2645–46
1081	Wage Boards for Plantations Industry –	2646

COLUMNS

MOTION FOR ADJOURNMENT . . . . 2647—55

The Speaker withheld his consent to the moving of an adjournment motion given notice of by Sarvashri Nath Pai and Narayan Ganesh Goray regarding the alleged police excesses at Nipani on the 27th November, 1961 resulting in injuries to several persons.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE . 2655—56

Shri Tangamani called the attention of the Minister of Railways to the Eastern Railway having provided a special train to Hindustan Motors from Howrah to Hind Motors Halt to take people for breaking the strike at their workshop.

The Deputy Minister of Railways (Shri Shahnawaz Khan) made a statement in regard thereto.

PAPERS LAID ON THE TABLE . . . . 2656—57

(1) A copy each of the following papers :—

(i) Annual Report of the Indian Refineries Limited for the year 1960-61 along with the Audited Accounts and comments of the Comptroller and Auditor-General thereon, under sub section (1) of section 619A of the Companies Act, 1956.

(ii) Review by the Government of the working of the above Company.

(2) A copy each of the following papers :—

(i) Annual Report of the National Industrial Development Corporation Limited for the year 1960-61 along with the Audited Accounts and comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(ii) Review by the Government of the working of the above Company.

PAPERS LAID ON THE TABLE—*contd.*

COLUMNS

(3) A copy of the Revision Applications (Procedure) Rules 1961 published in Notification No. G.S.R. 1171 dated the 23rd September, 1961, under sub-section (2) of section 28A of the Indian Boilers Act, 1923.

(4) A copy of Notification No. F.20(6)/61-Lab. (i) published in Delhi Gazette dated the 14th September, 1961 making certain amendments to the Delhi Shops and Establishments Rules, 1954, under sub-section (3) of section 47 of the Delhi Shops and Establishments Act, 1954.

(5) A copy of Notification No. G.S.R. 1382 dated the 18th November, 1961 under sub-section (2) of section 4 of the Employees' Provident Funds Act, 1952 making certain amendment to Schedule I to the said Act.

MESSAGES FROM RAJYA SABHA . . . 2657—59

Secretary reported the following messages from Rajya Sabha :

(1) That Rajya Sabha had agreed without any amendment to following Bills passed by Lok Sabha :

(i) Maternity Benefit Bill, 1961.

(ii) Coffee (Amendment) Bill 1961.

(iii) Apprentices Bill, 1961.

(iv) Assam Municipal (Manipur Amendment) Bill, 1961.

(v) Industries (Development and Regulation) Amendment Bill, 1961.

(2) That Rajya Sabha had no recommendations to make to Lok Sabha in regard to the Voluntary Surrender of Salaries (Exemption from Taxation) Bill, 1961.

(3)(i) That Rajya Sabha had passed the Indian Succession (Amendment) Bill, 1961.

(ii) That Rajya Sabha had passed the Air Corporations (Amendment) Bill, 1961.

COLUMNS

BILLS PASSED BY RAJYA SABHA—LAID ON THE TABLE 2659-60

Secretary laid on the Table the followng Bills, as passed by Rajya Sabha :—

(1) The Indian Succession (Amendment) Bill, 1961.

(2) The Air Corporations (Amendment) Bill, 1961.

ARREST OF MEMBER . . 2660

The Speaker informed Lok Sabha that he had received a telegram dated the 1st December, 1961, from the Judicial Sub-Magistrate Trichur saying that Shri K.K. Warior was arrested on the 30th November, 1961 and was produced before him on the 21st December, 1961 in connection with a case registered against him under Sections 143, 145, 147, 341 353 and 447 read with Sections 109 and 117 of the Indian Penal Code and was remanded to custody for seven days at the Special Sub-Jail, Vijyur, pending investigation.

STATEMENTS BY MINISTERS 2660

(i) The Minister of Commerce (Shri Kanungo) laid on the Table a statement on the functions and the activities of the State Trading Corporation of India Limited.

(ii) The Minister of Parliamentary Affairs (Shri Satyanarayan Sinha) made a statement regarding the Government business for the week commencing the 4th December, 1961.

BILLS INTRODUCED . 2664—66

(1) The State Financial Corporations (Amendment) Bill, 1961.

(2) The Dock Workers (Regulation of Employment) Amendment Bill, 1961.

(3) The Delhi University (Amendment) Bill, 1961.

COLUMNS

DEMANDS FOR SUPPLEMENTARY GRANTS (RAILWAYS), 1961-62 . . . 2666—86

Further discussion on the Demands for Supplementary Grants in respects of the Budget (Railways) for 1961-62 concluded and the demands were voted in full.

MOTION *RE.* MAJOR RAILWAY ACCIDENTS . 2686—2716

Shri Rajendra Singh moved the motion *re.* statement by the Railway Minister dated 20-11-61 on major accidents which occurred recently. An amendment to the motion was moved by Shri Vajpayee. The discussion was not concluded.

PRIVATE MEMBERS' BILLS INTRODUCED . . . 2716—18

(1) The Hindu Succession (Amendment) Bill, 1961 (*Insertion of new sectoin 23A*) by Shri Ajit Singh Sarhadi.

(2) The Film Industry Workers (*Improvement of Working Conditions*) Bill, 1961, by Shri N.G. Goray.

(3) The Coir Industry (Amendment) Bill, 1961 (*Amendment of section* 10, 20 21 *and* 26) by Shri S.C. Samanta.

(4) The All India Ayurvedic University Bill, 1961 by Shri A.T. Sarma.

(5) The Civil Aviation (Licensing) Bill, 1961, by Shri Amjad Ali.

PRIVATE MEMBERS' BILL NEGATIVED . . . 2718—38

Discussion on the motion to consider the Restoration of Places of Religious Worship Bill, moved by Shri Prakash Vir Shastri on 1-9-61, continued. Shri Prakash Vir Shastri replied to the debate. The motion was negatived.

PRIVATE MEMBERS' BILL WITHDRAWN . . . 2738—78

(1) Shri Tangamani moved that the Delhi Rent Control (Amendment) Bill (*Amendment of section* 14) be taken into consideration. He also replied to the debate. The Bill was, by leave, withdrawn.

COLUMNS

PRIVATE MEMBERS' BILL WITHDRAWN—*contd.*

(2) Shri Ajit Singh Sarhadi moved that the Code of Criminal Procedure (Amendment) Bill (*Amendment of section* 488), be taken into consideration. He also replied to the debate. The Bill was, by leave, withdrawn.

PRIVATE MEMBERS' BILL UNDER CONSIDERATION 2778—84

Shri Jhulan Sinha moved that the Minimum Price of Jute Bill be taken into consideration. The discussion was not concluded.

COLUMNS

REPORT OF BUSINESS ADVISORY COMMITTEE PRESENTED . . . 2784

Sixty-seventh Report was presented.

AGENDA FOR MONDAY, DECEMBER 4, 1961/AGRAHAYANA 13, 1883 (Saka).

Discussion on the latest Chinese incursions into Indian territory, and consideration of Demands for Supplementary Grants in respect of Budget (General) for 1961-62.

GIPND—LS II—1544 (Ai) LSD—11-12-61—900.